

**In war time. two years in the confederacy and two years north. With many reminiscences of the days long before the war.**

IN WAR TIME.

TWO YEARS IN THE CONFEDERACY AND TWO YEARS NORTH.

With Many Reminiscences of the Days Long Before the War.

BY EDWIN G. BOOTH.

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PHILADELPHIA: JOHN D. AVIL & CO., PRINTERS AND PUBLISHERS, 3941-43-45  
Market Street,

1885.

F280. 31620. 03

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**PREFACE.**

W. S. 24011

The productions from which this book is composed originally appeared in the columns of Forney's Progress, and were drawn out by a request from myself for some circumstances of the life of Mr. Booth. There was no expectation that they would extend into book form, and consequently they are without the usual system or order. It is perhaps more desirable

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that they thus spring from a warm heart than a cold head. They may be enlarged, classified and improved hereafter if their reception and circulation justify a second edition.

J. W. FORNEY, Editor of Progress.

1526 Walnut Street, Philadelphia, February 2, 1885.

To the Editor of Progress:

Dear Sir:—I regret that the final proof sheets of *your* Progress arrived just as I am about leaving the city, compelling *me to leave on you* the responsibility of the whole publication, with its errors and merits, not being conscious of any special excellence myself.

From hasty glances at portions I commend your skill in *guessing* at imperfect chirography and punctuation, and hope your expectations may not be disappointed.

With high respect, EDWIN G. BOOTH.

### TABLE OF CONTENTS.

#### PAGE

Solicitations of Editors, and Responses, 4

References to Judges Moncure and Sharswood, 7

Incidents Connected with Running the Blockade and Marriage, 9

First Interview with President Lincoln, 12

Prisoners of War at Fort Delaware and Richmond, 13

Plans of Adjustment by Messrs. Ewing, Crittenden, etc., 15

## Library of Congress

Appointment Offered to Robert E. Scott, Esq., 16

The Present Duty of All, 18

The South and the Tariff, 19

Visit to Washington City, and Great Speeches of Great Men, 21

Amusing Mistakes Connected with Virginia Convention of 1829, 23

Mr. Clay and Gov. Tyler at Dinner Party in Petersburg, Va., 27

Virginia Statesmen—W. C. Rives. Gov. Wise, W. C. Preston, and others, 31

Salt Pond in Giles County, Va., 33

Great Revivals—Drs. Bryor and Hoyt, 35

Philadelphia Centennial, 1876—Hon. S. J. Randall's Speech, 37

Yorktown Celebration—Mr. Winthrop, etc., 39

James River Mansions and Distinguished Families, 39

President Taylor, W. C. Preston, Revs. Drs. Plumer and Hill, 40

Mr. Blaine's Book, 43

The Slavery Question Settled; Tariff, etc., 46

References to Gen. Lee in Mr. Blaine's Book, 49

Misfortune of a Fortune and Fortune of a Misfortune, 52

## Library of Congress

Peace Conferences in Washington in 1861, 54

Introduction to Supplement; Gen. Lee's Letter, etc., 59

Obstacles to Harmonious Co-operation Removed, 63

Gens. Reynolds and McCall as Prisoners, 65

Southern Prisoners and References to Hons. Davis, Hunter, and Toombs, 66

Mr. Toombs's Great Speech, 68

Mr. Lincoln's Apparition, 73

The Shipping Interest, 75

Briscoe G. Baldwin at Jamestown, 77

List of Delegates to Virginia Convention of 1829, 83

References to Particular Members, 86

Professional References to Case of George Chorpensing, 87

Response to Application for Advice from the South, 96

Proceedings in Memoriam of Judges Moncure and Ould, 104

Great Debate between Messrs. Webster and Hayne, 111

Address of Rev. Dr. Hoge at the Funeral of Judge Ould and Appendix by Mr. Booth, 140

The New and Higher Life, 142

## Library of Congress

Sacred Poetry, 169

References to Sermon by Rev. Dr. H. A. Boardman, 172

Conversation between Rev. John Wesley and Mr. Simeon, 177

Remarks at Union Prayer Meeting in Calvary Church, 179

Extracts from Speeches in Virginia Convention of 1829, 182

Remarks at Prayer Meeting Preceding Communion, 203

Retrospect and Conclusion, 220

Over 60 Photographs, At the end of Book

### **THE REQUEST TO MR. BOOTH.**

The readers of Progress are aware that I have been publishing a series of brief personal sketches under the head of "Little Biographies." It was the intention that these sketches should include principally personages of particular interest to Pennsylvania and Philadelphia. The name of Mr. Booth having been mentioned in connection with this series, I recalled that Mr. Booth was possessed of a vast fund of reminiscences of men and things, both North and South, during and just preceding the war. In my request to him, therefore, that he would allow a sketch of himself to appear among the Progress biographies, I added that I would be still further obliged if he would detail some of his reminiscences. I then found that this same request had been made to Mr. Booth by prominent people North and South very frequently, but that he had not eared to undertake the work. However, he replied to my letter, and the first article appearing, he found himself in for it, and there was no retreat. It was then discovered that the matter would far outgrow the proportions of Progress, and this Progress Supplement is the result.

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It will be noted that Mr. Booth goes over much of the ground covered by Mr. Blaine in his "Twenty Years in Congress," but from different standpoints.

J. W. Forney, Editor of Progress.

4

### SOMETHING IN THE NATURE OF A PREFACE.

Chestnut Hill, Wissahickon Inn, Philadelphia, June 7th, 1884.

*To the Editor of Progress:*

Your unexpected and unmerited application for some incidents of my life has remained unanswered from reluctance to encounter any appearance of egotism or vanity, and really from the dearth of materials for anything interesting or useful to others.

For years and more especially in the last few weeks, I have been pressed and importuned for some delineation and perpetuation of occurrences transpiring during my residence for the first two years, in the Southern Confederacy and the last two in the North, without the least equivocation or concealment or insincerity of any kind, being over the fighting age and sufficiently connected with the politics and legislation of the country, and the preparation of what was regarded by others as the best code of laws in 1849, my native State of Virginia ever had, to command some confidence and consideration in whatever I might express or present.

It is a remarkable fact, that under a special friendly invitation I took breakfast at his mansion with President Davis, in company with one of the present distinguished Southern Senators, and in about thirty days or less was with President Lincoln in his Presidential Mansion, having run the blockade under matrimonial proclivities existing before the war, presenting to him a telegram from a lady (in absence of any other safe communication) from a foreign locality, with the remark that such telegram would inform him where I came

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from and where I came to and what for, and if I could not feel that I had bought, paid for and had a deed to every inch of land I walked on, I would seek the liberty of foreign monarchies.

Some incidents that occurred might be too delicate and tedious for present presentation. It seemed just into his hand and good heart. My marriage occurred in Philadelphia in about ten days, I never having been catechised by any one as to my political predilections or encountering the slightest interruption. It is sufficient to say, that telegram is now before me, bearing date April 27th, 1863, with Mr. Lincoln's well-known signature and chirography on the back of it, and laughed at all the locksmiths, cannons and cannon balls and ocean tempests, never encountering a suspicion or equivocation or inquiry into my sentiments or actions, helping all the Confederate prisoners under Government permit from the authorities of Federal prisons, having visited untrammelled Generals Reynolds and McCall in a Richmond prison; having also gone into Washington while Mr. Lincoln's dead body was in mournful prostration, and every inlet and outlet guarded by military in glittering array, looking for a man named *Booth*, but disappointed in the one whose name is now registered boldly on the books of Willard's and the War Department of that date, the peculiar incidents furnishing materials for a volume, and if desired, some may appear in a future communication, unless you should be appalled by the rashness and futility of your unexpected application. My relations towards your distinguished father corresponding with any personal liberty he might seek, though differing politically, but with no recollection of a minute's conversation or correspondence with you, certainly not on these subjects, and by eliciting them in more permanent form and substance may render much service in scouting the absurd accounts of barbarity and inhumanity circulated on both sides of the contending nations, it being somewhat strange and unaccountable that at the present day the relish for such reminiscences seems to have revived, under the subsidence of the then existing angry white caps silencing all reason and credibility. Whether these hasty and incoherent exhibitions will be continued will depend on others, having no other desire nor interest, unless consummations of real value.

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As to any incidents of my private life, I am not aware of anything interesting to the public, unless the preparation of a State code of laws, with the highest, or highest order of judicial luminaries, some incidents of general value in such preparations suitable for all. It is somewhat singular and opportune that in a recent memorial meeting of the talented bar of Richmond, Va., and elsewhere, the circumstances required my participation as the only surviving associate of the lamented Chief Justice R. C. L. Moncure as appointed by the Legislature; the distinguished Conway Robinson dying since that meeting, leaving only Wm. M. Ambler, appointed from the Senate.

These remarks, having been put in print, can be easily incorporated if desirable, to others, as expressions of such important occurrences, and perhaps useful in subsequent similar exigencies, thus, at least relieving myself of some responsibilities, with additions of names and 6 letters as specimens of many other sufficient for the responsibilities of the giants of the law and gospel, and requisite for proper consideration of the Appendix referred to by Judge Strong specially, and probably incidentally by others, and too long for present incorporation.

It is somewhat singular that about the same time memorial meetings were held in different States and for different luminaries of the law and otherwise, perhaps never in personal associations, members of different churches dying in Christian triumph with corresponding triumphant expression and manifestations. Judge Christian, a former Associate Judge of the Supreme Court of Virginia, had immediately preceded me in eloquent and expressive and impressive references to Judge Moncure's dying manifestations.

I happened to be a witness to Judge George Sharswood, when that form I had been so delighted to meet and to greet at my own table and fireside was prostrated and powerless; that tongue, uttering such soft and mellifluous benignant cadences, still in approaching dissolution. But oh, how consoling to hear from those humble, devoted unsophisticated



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servants, that amongst its very last utterances was the word Heaven referred to by the eloquent minister at his funeral, and thus doubtless the first in Heaven.

Judge Moncure was President of the Virginia Court of Appeals, about thirty years. Judge Sharswood was not President so long, but wore and adorned the judicial ermine in the different courts a longer period. Other coincidents were in wonderful similarity, and I was tempted at the Philadelphia bar meeting to repeat the same words as in Richmond for Judge Moncure, and now desire to supply the omission by adopting them for Judge Sharswood in present connection as beacon luminaries and constellations tot the general bar of the whole country. But I fear the flood tide of my impulses will not leave enough materials, for the intimations of continuance previously expressed.

If of relief to peruse the sentiments of others, I place at your command and disposal the letters of such distinguished luminaries as Judge Wm. Strong, late of the U. S. Supreme Court; Hon. Robt. C. Winthrop, Hon. Chas. J. Faulkner, Minister to France; Hon. Hugh W. Sheffey, and others of gushing sensibility concerning the memorial proceedings of Judges Moncure and Ould, having elevated appreciation of both of these testimonials; also including eminent divines. 7 The result of circumstances in January preceding the war placed me in cordial personal association with such as Hons. John J. Crittenden, Samuel F. Vinton and Thomas Ewing, and through him with Hon. John Sherman, W. H. Seward, and others, some circumstances known to few about the offer, through Mr. Seward, of Cabinet appointment to my friend and legislative and judicial associate on the Virginia code, Robt. E. Scott, having alluded to my association with President Davis and President Lincoln during the war; also entertained at his private residence in Ohio by Hon. Thomas Ewing, presided over with elevated dignity and grace by his daughter, Mrs. General Sherman; was at Clifton House, Canada, in personal association with Hon. Jere Black, Mr. Holcomb, Mr. Vallandigham, and my old friend and college mate, Jacob Thompson, and with access to the views of all as to the manner in which the war might have been prevented, how it might have been terminated, preparations for another Hampton Roads conference, or rather this time City Point or vicinity; sleeping in General

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Meade's tent in efforts to protect the country successfully. I was with Hon. Millard Fillmore in his own residence, and, with others of distinction and varying sentiments. If any or all these coincidents in full description can afford real good, I might make the attempt; but certainly not if such delineation required animadversion or unfavorable criticism of a single individual, considering the circumstances of their peculiar positions.

JUDGES MONCURE AND SHARSWOOD.

Chestnut Hill, Wissahickon Inn, Philadelphia.

June 20th, 1884.

*To the Editor of Progress:*

Your complimentary comment and suggestions at the close of the first instalment of my response to your application, with other presentations, justify, and somewhat require, explanation and enlargement, at least to the extent of exemplifying the allusions therein contained to the speeches and references to Judges Moncure and Sharswood not otherwise intelligible; premising that your first solicitation suggested no particular topics nor restrictions, but leaving all to the "*currente calamo*" *et animo*; your caption embracing North and South, and thus some remarks pertaining particularly to the one, not so interesting to the other. Having referred to the speeches in connection with Judge Moncure as applicable to Judge Sharswood, at least some 8 extracts may be essential to proper elucidation with favorable opportunity of supplying omission of some in the first publication not then accessible. Extracts from Mr. Booth's speech:

It seems inscrutable that we should mourn the departure of such individuals while so many less worthy remain. \* \* \* He had appropriated those great doctrines of faith, repentance, Holy Spirit, atoning blood, sovereign grace, substitution, adoption, that make death and the grave run like cowards. The valley may be dark and the clouds lowering, but spanned by a bright bow of promise dispelling all gloom. \* \* \* His sun of life has set forever; but the

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bright beams of his example will long linger on the horizon to cheer the rising youth of our country in the paths of virtue, honor and renown.

Of those not then accessible, from Richard Parker, a learned Judge of the Virginia courts, Winchester, Va:

Judge Moncure was so amiable and warmhearted, so frank and open, So courteous in manner and free from guile, that he soon won, and ever afterward retained, the sincere affection of all with whom, in the course of their employment or otherwise, he was brought into contact. His sense of justice seemed to be innate. His determination to act only as his judgment convinced him was always apparent. Prejudice could not sway his conduct, nor could the claims of friendship draw him away from the path of truth and justice.

From Hon. J. V. Brooke, eminent in various positions, a relative of Judge Brooke, of the Supreme Court of Virginia, and recently delegate to the Presbyterian General Assembly, in Vicksburg, Miss.:

The character of Judge Moncure was *sui generis*. It cannot well be defined by comparison with any other, however strongly marked. It was not cast in a common mould. It was a rare composite of *Doric* strength and *Corinthian* beauty, reared upon the solid foundation of a child-like and unquestioning faith in God. He was in no sense a "Man of the World." Between him and the busy, bustling, jostling crowd that throng the highways of trade and traffic, there was an immeasurable distance. If he was ever brought into contact with the gossip and scandal that so disturbs communities, it was only through the medium of his profession. \* \* \* In the death of Judge Moncure the Bench, the Bar, the State, the Country have sustained a loss well nigh irreparable.

9

THE BLOCKADE RUNNING.

Chestnut Hill, Philadelphia.

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July 5th, 1884.

*To the Editor of Progress:*

Your continued approbation, appreciation and anticipation of usefulness encourage further presentation of incidents and occurrences of interest, and perhaps of some historical importance for any further similar emergencies.

You, however, very reasonably suggest the futility of publishing in a weekly journal, devoted to other topics, such reminiscences and associations that might fill a volume, referring as you do to Mr. Blaine's first volume of 646 pages of historical interest and information. The extracts you publish from speeches without the foundation or fountain from which they spring, may be regarded as mutilations, and really unintelligible references to what does not appear to the present reader; and still all you can do under the circumstances without interference with your prescribed limits and topics. It may thus be regarded that the suggestion of an extra Progress will be adopted, and thus less trammel and restriction admissible. Your last number having partially explained and exemplified the coincident allusion's to Judges Moncure and Sharswood, at least till space and opportunity of more extended speeches and references, the way is opened for elucidation of some of the other topics referred to in the first instalment of reply to your kind solicitation.

The most remarkable, and perhaps the most unique personal occurrence during the war, is presented in the account of that blockade ( *not block head* ) expedition, embellished by the interesting incidents and concomitants and consummations previously intimated, exciting tender and conjugal exhilarations in the reminiscences of some, and transfusing and transporting anticipations of others. That a telegram laughing at locksmiths, cannons, cannon balls, ocean tempests, glittering hostile military armaments, should, nevertheless, result in such blissful consummations, is certainly sufficient to justify desire for further explanations, that others may profit by such experiences, and, indeed, similar

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*improvement* in such exploits and consequences in the sentiment and action under the enchanting emotions of the verse:

Thanks to my gentle, absent friend, A kiss you in your letter send; *That* fruit can only tasteful be When taken melting from the tree.

10

Even personal exhibitions and occurrences may sometimes be so connected with public and political associations as to serve as illustrations of events of general historical significance, and thus under desire expressed; at least some toleration of further allusion and description of that wonderfully successful blockade running, with so many thrilling incidents of such thrilling times, being perhaps the only person North and South encountering such occurrences from the peculiar incidental circumstances and associations.

Providence seemed to open for me a wonderful opportunity for running the blockade as the protector of a highly esteemed lady relative and her dear little children desirous of encountering ocean tempests in reunion with husband and father in a foreign land. Finding him with open arms to receive them on the banks of Bermuda Island, I cheerfully surrendered my charge, having safely landed from the ship *Cornubia*, having had 27 shots fired at her on a previous trip and captured soon after and taken into Philadelphia, but not the slightest molestation to us. A British steamer being ready I took passage for Halifax, Nova Scotia.

Some strong Southern sympathizers resided there, giving me assurance of their friendly consideration .but with strong recommendation of caution and circumspection that the American Consul there had spies all over the city watching the arrival, movements and departure of Southerners, that all occurring would be reported to the Federal authorities.

Not feeling exposed to any such espionage or distinction I walked boldly into his office and stated I had been informed he had spies all over the city watching the arrival, movements

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and departure of Southerners that I had called to save him that trouble, that I was just from the South, desired to go into the States, that one object was to ascertain whether there were any materials of peace between the contending nations, exciting some discussion, and indeed, some momentary hesitation, but I continued firmly with the accompanying declaration that being an old Presbyterian Elder I had no equivocations nor concealments that my real object was to see my sweetheart, but would not go till (not in pride nor vanity, but conscious purity of intention) I could feel I had bought, paid for, and had a deed to every inch of land I walked on, being the same subsequently repeated to Mr. Lincoln. We were quietly seated together. He was not satisfied with merely 11 rising, but seemed to leap above the floor, moving around me with the remark, "My friend, you are so bold and candid, there is no harm in you. I will do all I can for you. I am going to Washington next week and will confer with the Cabinet and write to you," with which he faithfully complied and did thus write to me stating that it was not the practice to issue passports, but that I might rely there would be no interruption on proper deportment. I will add with pleasant recollections that this Consul was Judge Jackson, of Illinois, and if alive I hope will allow my sincere obligations and assurances, and if a widower would cheerfully reciprocate any such facilities and manifestations in his behalf.

Prior to his return, however, that famous telegram referred to arrived with my response, "On the way rejoicing," repeating that locksmiths, cannons, cannon balls and ocean tempests all evaporated into insignificance. Taking a British steamer touching at Halifax for Boston, I felt perfectly secure from every kind of molestation.

On approach to Boston I found there was a detective on board whose duty it was to scrutinize every passenger, taking strict account of all his incidents, antecedents and surroundings, his age, height, color of his hair, eyes, birth-place, where from, where going, what for, indeed minutely precluding all deception or escape. He came into my stateroom early in the morning while in my berth head turned from him, lying still after a night's

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rocking. He commenced on my companion in the upper berth with all these inquiries and investigations, in my full hearing.

I concluded I was then certainly gone as I intended to tell the whole truth without the slightest consideration, hesitation or dissimulation. I turned towards him not previously aware of any special nausea or seasickness. But the effort and motion of turning caused me involuntarily to heave. I remarked simply and truly he could see I was very sick, I would thank him to pass on and return, that I would give him a full account. He replied very politely, "Certainly, sir, it will do as well."

It seemed to escape his further attention, not returning and certainly not commanding in special desire for his acquaintance though evincing good feeling and sympathy, and not avoiding him.

I thus went into Boston, thence through New York to Philadelphia, registering at one of the principal hotels, some occurrences beyond 12 expression, though of joyous impression, went into Washington with full circle blue cloak, peculiar to Virginia or the South, eliciting special attention and commendation on Pennsylvania avenue, and thus on to the great White House, with incidents previously described, just enough so to mutilate and interfere with extended narration here. One incident I will relate. Seeming with special Presidential protection, I went early to the Presidential Mansion, having given some previous intimation of my visit and object, and took my position in a passage through which? supposed the President would pass to his office.

I could not understand why the surging crowd should be passing differently. A gentleman kindly remarked to me that if I wished to see the President I was in the wrong position, that I should go to a certain room for visitors in their turn. On my arrival there I found it so crowded that with my other business I would not have remained. About 2 o'clock, p. m., a messenger appeared at the door vociferating to an anxious crowd, "The President will see no more to-day."

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Of course I could only be still, and while reflecting what I should do the same appeared soon after with the proclamation, "The President will see Mr. Booth." This was about the next joyful announcement I had encountered, and joyfully responded to with the incidents previously described as far as practicable, returning to Philadelphia without the slightest molestation.

I became connected by marriage with property in as many as nine different Northern States and a larger number of agents referred to in illustration of my opportunity of ascertaining the condition of the whole country from extended visits on my bridal tour.

There was not what might be called a faded spot in the whole country. Every blacksmith shop, factory, mine, city, village, farm, and indeed scissors and needles, all in prosperous advantageous use in connection with the war. Those out of the Army were most interested and clamorous for continuance of the war.

I saw at once it was only a question of time that the South must wear down under the effects of mere time.

My whole policy and plans were directed towards the best means of terminating hostilities, the foaming white caps too fierce for speedy conciliation.

### PRISONERS OF WAR.

My whole attention was directed toward the Confederate prisoners.

13

When Fort Delaware became the receptacle I wrote to the officer in command that some were my friends or the sons of my friends; that I did not desire him to violate any duty, but only asked to know how far in the discharge of his duty I would be allowed to assist them. I speedily secured permit in illustrated Government envelope, with only reasonable restrictions, assisting some in clothing and otherwise, exceeding one hundred dollars



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each. Only one box of luxuries was withheld from those to whom they were sent, but turned over to the Confederate Hospital, a better destination, having assurance that even smaller amounts had saved life. I recollect that General Johnson declined supplies as he messed with General Trimble with superabundant provisions, generously recommending others. It was in my power to correct some of the exaggerated descriptions of the Southern prisoners. As previously stated I had been with Generals McCall and Reynolds in a large room with two beds and but two occupants. Mr. Biddle, who died, had as good medical attention as Richmond afforded, and I sent to his family the statement of his physician that he expressed entire satisfaction with his treatment. Even at Libby the choice was between crowded like figs in a drum without the figs, or exposure to the elements, with the earth for a couch and the heavens for a covering; Persons formerly enjoying the comforts of life suffering for ordinary necessities, some of my own relatives reduced to broom-corn. It may sweeten the acerbity of sectional asperity to remove these exaggerated acrimonies, as each section, no doubt, did what circumstances allowed, the lamented Judge Ould, commissioner for exchange of prisoners, exciting high appreciation of his benevolence within the bounds of duty and propriety. Some deference is due to an invaded country and cause great exasperations, and thus let all the wounds from this source be cicatrized in the conviction that each section did all reasonably expected under the circumstances. I stated that I went into Washington while Mr. Lincoln's dead body was in the city and all looking for a man named Booth, baying been warned that such would be torn in pieces without opportunity of explanation.

There was no way of getting South except on steamer with Government permit, and applying at the War Office, was told no business was in progress, but that the matter of passport might be considered, and I requested, if possible, that mine should be sent to Willard's Hotel by 2 p. m., as the steamer would start at three. Before the time my full 14 name appeared there on such permit. Putting it in my pocket and going in the steamer, I felt as safe as in my own house.

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But arriving near Point Lookout the steamer was stopped and boarded by a the of soldiers in peculiarly glittering array. All the passengers were ordered to one end of the boat and fortifications erected, so that only one could pass at a time under vigilant examination and comparison with Wilkes Booth's photograph, and passing between this double the of soldiers with muskets and bayonets in polished brilliancy. As each passenger preceded me I could hear the usual words—all right, go ahead, and not considering that my name was Smith, Jones, or Booth, simply exhibiting my envelope with name annexed and could not well comprehend a peculiar commotion and motion of the examining first officer or his signs and gesticulations to his comrades. Not exhibiting the slightest perturbation or concern I noticed the change in his countenance as in rather supplicating tones he asked, "Look here, you are not the man we are looking for, are you?" I simply replied I did not belong to that distinguished family, was only a plain, common citizen, passing to my Southern home, and did pass unscared and unharmed between the formidable files of military magnates, according to appearances. In passing to my home south of Petersburg I must have been through or near half a million of bipeds and quadrupeds. Reaching my home after dark, and seated at a supper table, my faithful colored old head man, whom I had not seen for several years, came to the door to tell me four men were breaking into the smokehouse. I went out and ordered them to desist, with reply they only wanted something to eat. I told them I would share my preparation with them, which they accepted without further hesitation. Hearing that a daughter was beyond the then Federal lines with some relatives, really living on broom-corn seed, I went into the Federal camp, sleeping in General Meade's tent or perhaps that usually occupied by his polite and attentive son. I was very generously furnished with carriage and horses, brought my daughter through the lines to her own home without the slightest molestation, the most suspicious glances being from Confederates at Federal equipage. General Meade, at my instance, cheerfully issued an order to respect private property, and General Sheridan's whole cavalry passed through my farm near my dwelling, and I think one bucket of spring water would measure the entire damage, under polite application, and others similarly fortunate.

AN ANECDOTE TOLD BY GEN. MEADE.

I must herein be allowed to repeat a little anecdote, perhaps only as a joke related to me by General Meade, none begrudging a little healing balm to those in need of something healing, or cicatrizing to wounded sensibilities from defeat, but nothing worse. He said that after the surrender at Appomattox he was riding into the Confederate lines. The Confederate picket or sentinel had not heard of the surrender, and, observing his uniform, commanded him to stop, and perhaps his life would have been the forfeit of disobedience. He said he did stop and remained till he could get some pass. During the interval a conversation was inaugurated by the Confederal sentinel with the remark, "Look here, old fellow, holy many men have you all got, they say you have fifteen to our one." "No, we have not," said Gen. Meade, "it has been a fair fight according to the principles of the South, before the war, that one Southerner was equal to five Northerners. It has always been said that when persons have had a fair fight they should become good friends, and thus let it be." General Meade also remarked to me previously perhaps, that with the simple recognition of the authority of the general government the South should have all her rights, and if now alive and a Presidential nomination desirable, and best suited to both sections, no nominating convention would be necessary, but General Meade by general acclamation, it having been my intense desire through the whole war, when South and North, and in conference with the extremes of both parties, to fix upon the best adjustment for all concerned, having already mentioned certain names coming within the current of observation and reflection, and I think could state the respective views of each, without animadversion of any, each acting his part as might be reasonably expected in the circumstances of his position. There can be no doubt that slavery and the tariff were the chief disturbing elements between the sections and what aggravated these became the chief factors of results.

PLANS OF ADJUSTMENT.

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I do not think that even in the commencement of the war the abolition of slavery was the controlling impulse of the sections or the *sine qua non* of any adjustment. Mr. Crittenden's remark, "Secession is emancipation by blood," looms up from this current of reflection. 16 Certainly those advocating it had no such contemplation or design. Those opposing it never required such abolition as indispensable prerequisite. Certainly the plans of adjustment referred to in the handwriting of Hon. Thomas Ewing, in January preceding the war, never combined such exaction, Mr. Lincoln in the formation of his Cabinet, according to the public papers, was in conference with such as Hon. Alexander Stephens, certainly with no such condition. It was known to me otherwise that a Cabinet appointment was offered to my friend and associate in legislation and the code of laws, Robert E. Scott, Esq., and through Mr. Seward.

The particular circumstances have only been more fully detailed to me within the last few months by his brother, Dr. and Professor Martin P. Scott. Mr. Scott, though occupying the position as explained by me in the appendix to the speech I made in the memorial proceedings of Judges R. C. L. Moncure and Robert Ould, was as true as steel to the best interests of the South. As stated in that appendix, with a personal courage unknown to Julius Cæsar he was a little sensitive to the taunt of timidity from the impatient and impetuous for the conflict, and also at the idea of any action seeming to affiliate with the enemies of the South.

The proposal of such appointment was promptly rejected, I think, before or without consultation with his friends.

Regarded as an olive branch and in satisfaction and protection of the South, I did not hesitate to advise and urge acceptance, but too late to retract his previous action.

We may here indulge exalted wonderment what might have been results of such acceptance, only useful now for any similar emergency, as well as many other incidents I herein present.

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Here may be the only benefit of such retrospection, this being, I may say, about the first opportunity of such prevention. The preservation of his own valuable life and of hundreds of thousands may have been thus involved. As the war progressed the exciting causes and incidents gradually expired without intended agency or effort specially. Though differently regarded at the time, there can be no doubt that the Proclamation, as it was called, rendered slavery as a broken limb, its amputation most desirable to the body corporal and politic.

Its preservation was not then worth the blood and treasure to retain it, and there never was a time afterward when the war could have been terminated without such abolition, and my mind and conferences were influenced by such conclusions.

When the famous Hampton Roads Conference occurred, the hopes of the peace-makers revived, only to be dashed into more hopeless annihilation,—this slavery element the most conspicuously destructive.

In the conference with conspicuous luminaries on both sides, I myself inaugurated a second conference, sending to the house of a valued friend and connection, Edward O. Watkins, near City Point, as many as 27 different luxuries preparatory to such conference. A Federal officer told me he was present when they were opened, and the commotion occurring. As stated, slavery being then a broken limb seeking amputation, was not worth preservation, and thus no sufficient obstacle to any reasonable adjustment.

There was but one new phase or variation to the Hampton Roads Conference. At that time if I could have collected together the right men from the different sections with some estimate of the money required to continue the war or saved by its termination, and this appropriated to compensation for such abolition, I am quite certain that while there were prominent men to oppose every thing, still this arrangement or presentation would have so paralyzed all opponents as to have accomplished important and desirable results. There never was a time perhaps, when either party could have *dictated* terms under vigorous

exaction acceptable to the other. The South could only have proclaimed, "We have been disappointed in the assistance we relied on and might have added the resoluteness of the North. We are overpowered, our supplies exhausted, our widows and orphans disconsolate. We offer no terms, we ask none, we disband our legislatures and armies, we retire to our firesides and calmly await and abide the consequences." This I think was within General Meade's contemplation referred to, and in such contingency it is doubtful on which side a majority of the *Federal* army would have been found in protection. The non-fighting men most rampant for war, might have found the "argument" frightfully against them. I repeat these retrospects and reminiscences are only useful possibly as historical instances and concomitants for future reference, and many of them presently useful in sweetening any acerbity of sectional asperities, and cicatrizing wounds which should only now represent the effective healing of time and circumstances.

18

### THE PRESENT DUTY OF ALL.

All should gladly unite in making the best use of results and consequences, now irrevocable and unalterable. The new-born citizens, as the former slave race may be termed, should have all the facilities and encouragement for good citizens, all the different avocations and occupations requiring different peculiarities and adaptations for each particular object not in competition and collision but united co-operation.

I could here relate some almost amusing instances of reluctance to accept this new position of freedom, preferring the confidence and protection so long *enjoyed* and now desiring its resumption.

The conduct of the negroes during these tragic times is beyond any historical or present commendation. Not a massacre occurred through them or special depredation. As described, my smoke-house was as sedulously guarded a week after the Federal army passed in triumph as on the antebellum occurrences. Such conduct is well worthy

## Library of Congress

the highest consideration and commendation and substantial appreciation by all the conferments the circumstances allow.

All could not well combine in one occupation. All could not well have the same tastes and predilections. As an old gentleman very sensibly remarked, he was very glad all did not think and feel as he did, for if so, too many would want his old woman. This one great disturbing element of slavery having passed away, we may now consider that other source of sectional hatred and conflict in the Tariff question referred to.

None can claim exemption from circumstances and personal interests. I well recollect in early life a very specious and grandiloquent preacher, remarkable for his anathemas against slavery in the commencement of his avocation. He happened to marry a rich widow with a large number of slaves, and devoted the remnant of his life to the settlement of Mississippi plantations. Just so with the Tariff. It is neither remarkable nor unreasonable that each should be swayed by personal interest. I may well say I was born and educated in abhorrence of the Tariff, well recollecting my homespun suit when a boy. In manifestation of such abhorrence, some I believe having been worn in the halls of Congress, by Southern members.

This great agitation and convulsion was sometimes reckless and 19 senseless amongst those knowing nothing of what they so abhorred, as an old lady in some remarkable eclipse or convulsion in the elements remarked she did not herself know what so frightened her in such apparition unless that abominable Tariff she had heard so much about had come.

### THE SOUTH AND THE TARIFF.

Well, we may say, this dreaded monster has really *come* and at least partially *gone*. There is no doubt that the revival of manufactories in the South, has operated corresponding changes in the sentiments of the South, certainly sufficient to paralyze that great consternation from the imagination of such raw heads and bloody bones. It is not

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necessary for those to be designated Tariff men per se, though advocating what might be termed Tariff recommendations. The whole matter may be succinctly stated. We have a Government to support, and under the most economical administration, a costly Government requiring immense revenues. How are they to be raised? Certainly by duties or direct taxation. It is remarkable that many persons squandering thousands in some objectionable indulgence, are appalled at the visit of tax gatherers for dollars, though indispensable for the protection and benefits bestowed by the Government on the property thus taxed. If this necessity can be so used as at the same time to promote the manufactures essential to his own and his country's interests, who should complain; and why should it longer continue as a *disturbing* element? Then, these two sources of sectional hatred and discord removed, what remains to foment any effervescence of acerbity?

It seems certain that these factories and consequent railroad facilities have greatly enhanced the general prosperity of the South, as all are supported by the productions of the soil, similarly enhanced. It is true that the tillers of the soil *seem* under dragging and discouraging depression in some sections. But as all that glitters is not gold, so all that seems evil is not unmitigated. We have families to support. I once remarked in the presence of one of the most sagacious and successful residents in my section of Philadelphia, that I supposed the average expenses of its residents would be as high as ten thousand dollars per year. He scouted the amount as far too low. Now if a man can save house rent, fuel, use horses, etc., and break even, is 20 not this equivalent to a corresponding income of what he saves, the object being contentment in each locality and occupation, not exposed to the fluctuations and speculation so disastrous in other avocations.

The circumstances of my position otherwise impress even more strongly and tenderly similar satisfaction in the different sections of the country. I would not feel entitled to the respect and toleration of opponents in politics, or even contending armies, to ignore the consideration of birth and association, though such circumstances and association



## Library of Congress

may sometimes control every other consideration. The unwise and unmerited partiality of friends once induced earnest efforts to make me Governor of Virginia, somewhat by acclamation my prolonged absence from the State unfavorable to regular contest and collision with those of more constant residence. I was met by bands of music on two occasions and had to make speeches, once from the platform of a car and again from regularly prepared stand, the circumstances occurring to me in explanation of my presentation and proclivities for peace and union between the different States and condition of their citizens. I remarked that it was very true that I spent much of my time beyond the limits of the State, and it was no hardship either to spend a part of my time on Walnut Street, Philadelphia, with a nice lady, and that if any were disposed to sympathize or criticise, I could only wish that in heaping the choicest blessings upon them they were not *almost* but *altogether* as I was, *not* excepting *these* bonds.

### PERSONAL.

As your first application referred perhaps, more particularly to the private or personal incidents of my life, I may be excused for indulging a further comment of such reflections on the desirability of *such* bonds, that I once received from a special widower friend worthy of the highest appreciations and reciprocities of any kind, but in this case the unreasonable inquiry if I could do as well for him as I had done for myself in the way of a wife. I replied no, underscoring three times, not for you, nor any one else, that any reasonable man would be satisfied with an approximation.

This comes in illustration of my desire for union before, during, and at all the times, having been enough of a politician and a canvasser to understand something about pairing off in voting, and I think 21 wisely concluded that pairing off in a fight especially with a nice lady was much of an improvement.

It thus simply *comes upon me* to present all the considerations favorable to the best relations between the different sections and sexes, obliterating all the unpleasant past in

## Library of Congress

the anticipation of the splendid future. The fiercest of wars or Presidential contests or all the unfavorable elements and machinations combined insufficient to shake permanently the solid foundations of individual and national prosperity and renown throughout the whole world, and with united councils and armies and favoring Providence bid defiance to the hostility of all creation.

### BEFORE THE TIME OF MR. BLAINE'S BOOK.

To the Editor of Progress: In the commencement of my response I only contemplated some materials for a few pages of Progress, and even after *progress* no more than already presented. The development of your purpose of Progress Supplements, and reference to Mr. Blaine's book, open a field too large for my occupation of it, and I shrink from any effort for a different side, or anything more than different situation or circumstances may suggest. It is natural that each should favor his special predilections and associations. We both know as lawyers it is a principle in a writ of right that the length of possession is the most important ingredient of title, and having been thus young longer than Mr. Blaine, I might claim such juvenility, and revert to periods and persons antecedent to his "Twenty Years in Congress," and indeed prior to his own existence.

I have a most vivid recollection of the great Virginia Convention in 1829, which I attended as a school-boy, as part of an education, with lasting impressions of its great orators and distinguished Presidents and statesmen. When a law student under Judge Lomax, of Fredericksburg, I attended the great debates in Washington under discussion of the Bank question, having heard Messrs. Webster, Clay, Tazewell, and Benton, of the Senate, and Hon. George McDuffie, in the House of Representatives, all in the same day; and about the same time Mr. Wirt on the Indian question in the Supreme Court in Washington; also visiting Gen. Jackson as President with imposing incidents. It is melancholy to reflect that of all the giants of that gigantic convention not one remains on earth. "Sic transit gloria mundi." The last, Hon. Mark Alexander, the special friend of Hon. 22 John Randolph, only departed this life during the last year, full of age and honors, it having been my

## Library of Congress

pleasure to send him a box of luxuries on the anniversary of his birth, having entertained him at my own fireside and in associations to which I may subsequently refer. He made no pretense to what the world calls eloquence, but pre-eminent in plain, unpretending, modest excellence, purity, and probity, which neither fortune nor misfortune could subdue. Well might we exclaim: "Ultimus Romanorum." The first great speech which I heard in that great convention was from Hon. Abel P. Upshur, of Northampton county, Virginia, killed in the Princeton while a Cabinet officer. His first name might be more correctly spelt *Able*. It comes to me as a little remarkable that after so many years he should become a family connection as the first cousin of my wife's mother—Chaunceys, Upshurs, Teackles, Dennis, etc., being all bound by the same blood ties. It is related as remarkable that he felt some timidity or apprehension on the firing on the Princeton, and asked the manager to put him in a safe place, which he attempted to do, but the result was he received two fragments of the bursting cannon, causing instant death. "Man proposes, but God disposes," with admonition for preparation for the worst that can befall human life. Mr. Upshur's was really a great speech, taking the eastern side of the tax question and representation, almost unanimous in the east, and causing the resignation of the eloquent and distinguished Gen. Robert B. Taylor, of Norfolk, almost alone in his section; succeeded by the talented Hugh Blair Grigsby, I believe the youngest member of that convention, and presage of his future ability and distinction. I think he and Mr. Alexander were the last two survivors of that remarkable body of statesmen. President Monroe was elected Speaker from his prestige as President of the United States, and to secure him the double salary in his declining years and limited prosperity. The brilliant Philip P. Barbour, who had been Speaker in Congress, was the great *ruling* spirit of the chair, as well as elsewhere. It comes upon me here to relate an anecdote in connection with Mr. Barbour, who, with his accomplished lady, boarded at the old Eagle Hotel, where I boarded also. She had a peculiar desire to see Governor Wm. B. Giles, one of the giants of his day, strong in intellect, but then weak in person, requiring crutches in locomotion. I well recollect an introduction to him by an uncle of mine while Struggling on his crutches,

## Library of Congress

and his name and fame familiar as natives 23 of adjoining counties, once the same, and thus similar acquaintances and associates.

### AMUSING MISTAKES.

Such was Mrs. Barbour's impetuosity to see Governor Giles that in going to the Convention she exacted a particular description in case no informant should be convenient. Notwithstanding Governor Giles's magnificent mental exhibitions, either from disease or otherwise his personal features were almost hideous. Mrs. Barbour was told that she could not mistake her man; that the Governor would hobble in on crutches, and being the only one of such presentation she could not be mistaken, all of which of course was satisfactory and conclusive. Her informant was ignorant or oblivious of the fact that the handsome, brilliant, and genial John Y. Mason, dying, I believe, when Minister to France, had recently been thrown from his buggy and badly injured, and I believe never recovered from the effects. Though lame in gait, able otherwise, having been Judge of my county and welcomed at my fireside. Governor Giles happened not to attend that day, but Judge Mason did, and during the whole sitting commanded Mrs. Barbour's great admiration, enhanced by impressions of his greatness otherwise. On the adjournment of the Convention, in her ecstasy and exhilaration, she exclaimed that Governor Giles was the handsomest man she ever saw, to the amazement of those who had formed different conclusions. It became quite a joke in the general community, perhaps more to the edification of others than Mrs. Barbour. The facetious, benignant, and polished Billy Pope, so long master of ceremonies at the White Sulphur, and a great friend of Mr. Barbour, heard of it as connected with a lady, but without hearing her name. He came to Mr. Barbour's quarters at the hotel, and in the presence of Mrs. Barbour related the whole occurrence, with many embellishments and animated annotations. On his conclusion Mr. Barbour, with his accustomed polished gesticulation, remarked: "And that lady was Mrs. Barbour, at your side." The exuberance occasioned may be well imagined.

## Library of Congress

A little diversion may here be tolerated in connection with this same Billy Pope, who was also a particular friend of William Wirt. When Mr. Wirt was Attorney-General, or held some high office in Washington, he was visited by Mr. Pope. Though Mr. Pope was 24 polished in his manners and general deportment, personally he was somewhat careless or inattentive to his dress. Mr. Wirt desired to extend to him the civilities due to their personal relations, and to take him to the President and the Presidential mansion, with its magnificent mirrors extending to the floor. Mr. Pope's habiliments did not accord with such occasions, so Mr. Wirt dressed him up in one of his best suits, and on they went to the great White House and into the mirrored apartments.

Mr. Pope was always very polished and polite in his demonstrations, but thought it important to be particularly so on this occasion, and, in his own language thought it would not be amiss to have the *one* best bow, should he meet some of the distinguished personages. Passing by one of these large mirrors he thought he came in contact with one of that description, and concluded to make him one of his most polite bows. He said, being returned in similar significance, he concluded to try it again with similar reciprocity, and so continued till, in his own language, he "found it was Billy Pope, but the devil a bit did he know him."

But, returning to the Convention. My own district of Nottoway, etc., should command my first attention. It was facetiously remarked that notwithstanding the brilliant intellects it was physically, at least, the *lamest* representation in the whole convention. Governor Giles's lameness has been described. Then came the great and eloquent Benjamin Watkins Leigh, undoubtedly the master spirit of that convention in activity of attention and debate. He was like Mr. Mason, handsome, but limping from a similar accident; and also Hon. John Winston Jones, Speaker in Congress, and one of the most interesting debaters in his whole region, practicing in my own county, and of great practical ability in all he undertook, but perhaps more limping in gait than Mr. Leigh. The remaining representative was Hon. Samuel Taylor, of physical and mental power, but lame or stammering in

## Library of Congress

delivery. His hesitation, however, seemed a consideration where to make his next step, and he always made it in the right place, like my beau-ideal of intellectual power, Robert E. Scott, as I once remarked to him, with similar apparent hesitation and similar result. While thus really lame no district in the State was more ably represented, such as Hon. Wm. S. Archer having been left out in the canvass or election, who was so long in Congress and the Senate, remarkable for bravery and independence, 25 well recollecting his remark in one of his speeches, that he had few opinions, and all unpopular.

I suppose there is somewhere a full account of this convention, but I have not seen it, and am writing from personal recollection. The powerful Chapman Johnson was also a member who had attained great eminence, but though reluctantly accepting for awhile some political petition, was devoted to his practice. Engaging in some speculation or improvements early in life he became embarrassed in his circumstances, and when urged to accept political positions, nobly and honestly replied he regarded his time and his talents as mortgaged to his creditors, realizing the fortune of misfortune, and not misfortune of a fortune, paralyzing intellectual and professional aspirations and success. Mr. Johnson spoke four days on one question. The brilliant, inimitable, and sarcastic John Randolph replied, referring to what Mr Johnson had said "yesterday, the day before, or the day before that," in his peculiar style of oratory and invective. Presidents Madison and Monroe were only monuments of past greatness, rarely engaging in debate, seeming like the old Puritans prior to any adulteration.

The value of such deliberative conventions and assemblages does not depend solely on the brilliant orators, frequently bearing off in triumph the honors and distinctions of the occasion.

I was impressed by the sound, sensible, practical, useful, axle-tree materials of such as Hon. Elisha Boyd, then of Berkeley county, *Virginia*, now *West Virginia*, the father-in-law of my old legislative friend and associate, Hon. Charles J. Foulkner, of *forty* years in Congress, and other and higher diplomatic and legislative experiences, embracing

## Library of Congress

some of the "Twenty Years in Congress" I would like to hear from; and thus Mr. Boyd, the grandfather of E. Boyd Faulkner, Esq., the prominent and promising favorite for Gubernatorial honors, and thus qualified by *tuition* and *in tuition*. Such also as Hon. Thomas R. Joynes, the life-long, efficient Clerk of Accomac county, of more actual importance in clerical and corresponding researches and compilations than a score of mere orators and declaimers, though not securing the merited prominence and pre-eminence.

It is really doubtful whether such a glittering array of great men ever assembled in one great convocation.

Much depends upon the times and occurrences to develop innate greatness.

26

"Full many a flower is born to blush unseen, And waste its fragrance on the desert air."

There was little in any of the questions agitated in that Convention to excite great oratory or exertion. The dull monotony of making laws or constitutions is frequently very wearisome; and if examination of books, etc., develops anything more interesting, it can be interpolated hereafter, only designing to record what I have seen and heard for any stimulation and information of successors. When a law student in Fredericksburg, as intimated, I had an opportunity of hearing the great orators in Congress, having referred to the great men, Hon. Webster, Clay, Tazewell and Benton in that debate in the Senate, and McDuffie in the House Representatives. It would be supererogation now to attempt anything new, or even cumulative, about these great men. Mr. Webster and Mr. Clay, whom I heard elsewhere, as well as Mr. Calhoun, had, perhaps, attained greater eminence and celebrity in the popular estimation. I however, retain the strong impression made by Mr. Tazewell, that for acuteness of argument and readiness and ability, especially in interruptions and interrogations, he had no superior. I heard Mr. Webster's great speech under the "October sun" in Richmond, Virginia, and the committee framing the code of

## Library of Congress

the State, while I was present, had a personal call or visit from him. There was no room for any higher appreciation, this having been after the great debate with Mr. Hayne, in which the second best attained unrivalled distinction. It is said Mr. Webster's wife heard Mr. Hayne, and doubtfully and despondingly inquired of him if he could reply to his speech; that Mr. Webster pulled out his snuff-box, or made the comparison, remarking he would grind him as fine as the snuff in that box. Each was great in sustaining his own peculiar views and position, and the greatness developed and discernible from the circumstances of their peculiar position, as occurs in all similar positions.

### MR. CLAY AT A DINNER PARTY.

The time alluded to of hearing Mr. Clay was at a dinner party given to him and Governor Tyler in Petersburg, Virginia, having the benefit of a seat nearly opposite to both of them. Mr. Clay was very animated and eloquent in defence of his Tariff policy, though in an anti-tariff community. He, however, did seem impressive and 27 satisfactory even in that section as to raising the necessary revenue to support the Government, and in so doing "lending a helping hand to the infant manufactures of our own country." No one in that crowd even made unfavorable criticism. Governor Tyler succeeded him, standing immediately on his left, and was hard to beat on such occasions, or indeed, any other; never, that I ever heard of, failing in any election before the people. On that same subject, or some other, Mr. Clay had been much abused. Mr. Tyler had concurred with him fully, and still not so abused, and seeming almost to complain at such exemption. But, with smiling emphasis and animated gesticulation and elevated voice, vociferated: "What skilled huntsman does not know that it is the noblest stag in the forest that is the chief object of pursuit," and brought the whole crowd in his commendation by this inimitable illustration. Judge Joynes, a son-in-law of of Judge May, related to me a grandiloquent colloquy between Mr. Clay and Major General Winfield Scott, occurring in General Scott's room, in presence of General Thomas H. Barley, of Virginia. He said while General Scott was thus engaged, Mr. Clay entered on a social visit. General Scott arose, with his usual animation and magnificence, exclaiming: "Mr Clay I am sorry to see you; I am *very sorry*



## Library of Congress

to see you: the first call was due from me to you as author of the great Compromise Measures, and I was about to make it, but General Barley, the son-in-law of my old friend, Judge May, being with me, I could not leave and thus sorry to see you." "No," replied Mr. Clay, with corresponding grandiloquence, "the first call was due from me to the greatest Captain of the age," occurring soon after General Scott's return from Mexico. It is said however, that subsequently some alienation occurred between them, showing the uncertainty of human friendships. I do not know that I quote with exactness, having no time for examination, but believe the sentiment is, that "Favor is deceitful and beauty is vain, but the woman that feareth the Lord, she shall be praised." No other foundation can uphold permanently and securely the most exalted, consecrated friendship. I heard Mr. Calhoun once in Petersburg on special invitation while returning from Congress. He made no pretensions to impassioned oratory, but acute and logical in all his reasoning adapted to his own views. His great hobby on pronounced principles was anti-tariff, congenial to his section—South Carolina then, with all cotton and no manufactures comparatively, had all one way—the cry on revenues being all against the General Government. How long this will continue depends much upon how long the absence of these manufactures will continue. There is no illusion nor hallucination the supposition that the South may become an exporter of manufactured fabrics, having the water power in many places; coal as convenient as any. The raw material at hand, cheaper labor, exemption from ice and strikes less frequent or unknown, who can say all these advantages can be overcome. At all events, the old lady who having heard so much about the abominable tariff without knowing what it was but as some unknown monstrosity, is not likely, on some convulsion of the earth or elements, to regard it as the advent of the Tariff. Mr. Calhoun was more calm and self-possessed, but not so eloquent and interesting as Mr. McDuffie. It is said that Mr. McDuffie's desk exhibited the force of his gesticulation. I well recollect the animation, or even violence, of his enthusiasm, and very few ever attained his elevation and appreciation amongst those with best opportunity of judging.

## THE PRESTONS AND OTHERS.

## Library of Congress

It is perhaps not in good taste to excite the blushing sensibilities of the living by even just and merited reference to their abilities, but with such as I have named amongst the departed; to which may be added Hon. William C. Preston, and, indeed, all the Prestons. South Carolina has no reason to fear comparison with any State in the Union. I never heard Hon. William C. Preston speak. I have been intimately associated with him when with his relations, in Montgomery, and have traveled with him when passing to Washington, and if his oratorical powers were equal to his conversational, they were great, indeed. Wholly different from Mr. Calhoun, there really having been little congeniality or assimilation between them; each great in his own sphere.

I was in Richmond when General John S. Preston made his fine speech during the first part of the war, when the desire to hear him was so great as to preclude all access or comfort. I recollect to have amused him much by describing the rampant enthusiasm of one seemingly devoted admirer, charging almost over the heads of those before him, not abating by repulsion. It was difficult to fathom the great interest he evinced. The conclusion was reasonable that he was unwilling to miss a single word. Exciting the curiosity of some one to inquiring as to the special cause of his impetuosity, he replied "I only wanted to see Preston's pretty daughter," seated near him. Mr. Preston complimenting his good taste and preference.

Academical and collegiate education in North Carolina gave me opportunity of at least hearing of the fame of her great men. When quite a boy, William Gaston and John Stanly seemed the most brilliant lights of that day, especially in the political world, very different, but each great in his own sphere, and potent at the Bar. Later, Judge Badger, Judge Thomas Ruffin, and others. Judge Ruffin was too useful and learned on the bench to be spared from it. I did once hear him make a political speech on the court-house steps of Oxford, North Carolina, in behalf of William H. Crawford, of Georgia, for President. I well recollect, when rising to his highest animation, his expression, "Now, gentlemen of the jury." He would correct himself, "You see, gentlemen, I am not in the habit of making

## Library of Congress

political speeches.” He would proceed under his own correction but a very short time before his own familiar appellation at the Bar would again be repeated. Judge Mangum attended the same Bar, and many shining lights, well recollecting his defence of a criminal and peculiar expressions. Judge Badger was eminent in those days, son-in-law of Colonel Wm. Polk, father of Bishop Polk, who preceded me at Chapel Hill and associated first part of the way and having graduated at West Point, did not feel at liberty to decline his services. Col. Wm. Polk, of Raleigh, N. C., the father of Bishop Polk, and father-in-law of Judge Badger and Hen. Kenneth Raynor, was one of the most prominent citizens of the State. He was also the relative of my then college mates Marshal T. and Ezekiel Polk, and of President James K. Polk, who was tendered a reception by the Virginia Legislature, with his Secretary, Robert J. Walker, making appropriate speeches near the seat I occupied as a member. It was at the private mansion of Col. Win. Polk at which the great reception was given to General Lafayette. The college students were arranged in two parallel rows, General Lafayette passing between and shaking the hands of each, embracing that now tracing these lines.

These pilgrimages and orations would furnish materials for a volume. I have a map of the Yorktown region with his twin likeness of Gen. Lafayette, with Gen. Washington, and Gen. Lincoln, of Gen. Light-horse 30 Harry Lee, and all the French officers and encampments, with locality of surrender, prepared for the last Centennial celebration at Yorktown, and thus embracing the photographs of the great orators and poets, Winthrop, Hope, and Hayne—and many other illustrations. It may perhaps be inserted in some of the succeeding numbers. But returning to North Carolina, and my alma mater, Chapel Hill. Bishop Polk was the classmate of my brother, and I thus enjoyed conversational reminiscences with him when he came to Richmond to receive his commission as a General in the Confederate army. He was also the classmate of Judge Richmond Pierson and Judge Mat. E. Manly, who was my college tutor, attaining great eminence, marrying the daughter of the great orator, Win. Gaston. He was also the classmate of Gov. Win. A. Graham, who was, I believe, twice Governor of North Carolina, and rose to too many

## Library of Congress

high positions for enumeration. I well recollect While at Chapel Hill to have visited Hillsboro during one of the courts, and to have seen him passing to his office as a young lawyer, followed by a number of clients. A gentleman in my hearing remarked: "That man is going to succeed." How prophetic and how true! It was a great pleasure to entertain him and Judge Manly at my table in Philadelphia during their attendance of some great political occasion since the war, when Gov. Orr, of South Carolina, and General Couch, of Boston, walked in arm in arm as ambassadors of peace. What a contrast to have viewed Gov. Graham's corpse at Sattoga subsequently, while still engaged in some good work; his expressive photograph is now before me, which I have carried for years. This galaxy might be continued, but am only following the current of my reminiscences as they occur, thus referring to the living in the same town about my only remaining college mate and dear friend, Paul C. Cameron, son of Judge Cameron, and son-in-law of Judge Ruffin, previously alluded to, two noble Judges—"par nobile fratrum"—the world and clerical profession adorned by such saintly luminaries and college-mates as William Norwood and Rev. James Hall.

A whole volume would be insufficient to delineate such celebrities of the past and of the present, furnishing Governors, Senators, foreign Ministers, etc., appropriate allusions perhaps exciting blushing sensibilities.

I must, at least for awhile, in returning to the allusions to Washington City, in connection with William Wirt, General Jackson, etc., stay awhile in my own native State, so prolific of statesmen in earlier and later periods. The "Proceedings in Memoriam of Judges Moncure and Ould," referred to exhibit luminaries of the present, and if I act on your suggestions and references to Mr. Blaine's book, chiefly from locality and circumstances confined to the North, and anything like a book be undertaken by me, these memorials might be incorporated, superseding present elaboration.

VIRGINIA STATESMEN.

## Library of Congress

No faithful enumeration of Virginia statesmen or orators could be complete without allusion to Hon. Win. C. Rives, distinguished in so many honorable positions. He was the only man I ever heard-who could keep a crowd four hours on their feet, which I witnessed on two occasions at the court-houses of Nottoway and Brunswick counties, when he was so excited about occurrences in connection with Mr. Van Buren's administration I believe, under necessity of explaining the propriety of some change of sentiment, as some thought losing him the Presidency, and thus against his own private interests and promotion. An occurrence transpired which might excite my incredulity if related by another, and I should not complain of such incredulity even as to my own statement. He was in very animated presentation and anticipation of the downfall of Mr. Van Buren's administration, when an old house, or part of it, did really fall within his hearing, causing him to remark, "Just like that old house." I have heard of the expression, "bringing down the house," but never before witnessed the illustration. How different when I last saw him at Newport, with voice too feeble for extended articulation, under the preferable government of a faithful and affectionate wife, protecting him against too much exertion. I think his son had heard of that tumbling house before his death, and has certainly alluded to it in conversation with me since that melancholy occurrence.

It is doubtful whether any man ever lived or died with more eloquent and popular sway over the minds of men than Gov. Henry A. Wise. It was a saying that by some change of position or party he had on record ever voted in the district, on both sides, in his favor, and he was never beaten, as I am aware of, in any popular election. His personal courage was undaunted, and when he went into the Congressional 32 canvass with Hill Carter, of corresponding firmness and impetuosity, many predicted the most exciting and deadly conflicts. But the result established that brave men know how to act towards each other, scouting all mere child's play or pretension. The result, I believe, was that they emerged from that fiery contest with more exalted mutual appreciation. Game cocks never encroach on each other's dominions. The consequences are too serious. Many are now alive no doubt who were in that large convention in the Hall of Delegates (I rather think it was

## Library of Congress

during that same Van Buren administration), when some one vociferated or called out for a "voice from Accomac." Mr. Wise arose and commenced: "A voice from Accomac is called. I wish I had a voice strong enough to blow the measure [he was opposing] into merited insignificance," etc. His peculiar province was otherwise, but I have heard him exhibit ability in agricultural fair grounds. While Governor he met me at Burkeville on a visit to my Mountain Lake (or salt pond) summer residence. He came from the Richmond cars somewhat bowed down and feeble, with the remark that he was sick and had not slept well, and would not have come but for promise, but sustained the journey first to the hospitable residence of Hon. Win. Ballard Preston, a host in more than one sense, resting there awhile with desired recuperation. Mr. Preston fixed up his family carriage and sent for Judge Staples's fine pair of black horses and buggy, and with Gen. Preston's fine saddle horses we started for the Salt Pond, as it was more familiarly styled, with quite imposing equipages.

While ascending the mountain we came to a clear, running brook, and stopped to enjoy a fine lunch Mrs. Preston had kindly put up for us. I well recollect Gov. Wise's remark it was the first appetite he had felt for some time. We continued by the lake to my place, remaining several days. It was something of a wilderness, abounding in trout and all kinds of mountain game. I well recollect his mounting a stump with proclamation: "Woodcock, trout, pheasant, and partridge, all in two hundred yards," perhaps waving hat, and corresponding exclamation. He seemed to be perfectly restored, and returned to buy land in that region, somewhat complaining I had resisted his overtures when on a friendly visit, preferring to make him a present of some. He was thus social with friends. Enemies did not come near enough to risk contrarities. Many other incidents and presentations 33 might be described, but I hasten to other references to Washington City.

### THE SALT POND.

I may appropriately here first describe this, perhaps about the only curiosity of the kind in the world in extent and altitude, generally called "Salt Pond," not that the water is salt,

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being clear spring water: but it was the pond where the graziers salted their cattle from the surrounding ranges, being on an elevation of 5,300 feet. Many enthusiastic descriptions have been written of it, the most graphic perhaps by Win. Irby, of Nottoway county, himself the emblem and personification of the devout Christian, and all that is pure and good, and who bought largely in that section. He wrote: "The devout Christian here finds a fit emblem of what he should be. Here it is, in the world, but above it; supported and surrounded by the everlasting mountains, and, though lashed by the fiercest storms of this world, its bosom casts up no mire, no dirt—nothing that is unholy or unclean." It is described as a mile by a third of a mile, that a silver dollar can be seen fifty feet below the surface. The water once seeped out below the present outlet, as trees may be seen now standing at considerable distance beneath the present surface. The view from the knob above is grand beyond description, comprising five States—North Carolina, Tennessee, Virginia, West Virginia, and Kentucky. The new river valley exhibits the fine lands of Pulaski and Montgomery—the peaks of Otter and Pilot mountains in North Carolina. The White Mountains bear no comparison, being only a huge pile of rocks. I heard a gentleman say: "I have been on Mount Blanc, but there is nothing there like this," nor anywhere, I suppose, such extent of water so high. This is the property I traded to Gen. H. Haupt, with large buildings around it, and now, I believe, occupied by some of his family, with fine accommodations. Major Kent told me the lake had been fathomed 300 feet without touching bottom.

I referred to Mr. Wirt in discussion of the Indian question. In addition to being a great orator and lawyer he was also a great philanthropist. His sympathies were enlisted in behalf of the Indians. It was in some case before the Supreme Court, Judge Marshall presiding. It was a striking impression that at the close of some of his lofty flights of eloquence he would turn entirely around, resuming his former position. 34 Judge Marshall seemed similarly excited or interested. All know the pathos and enthusiasm Mr. Wirt could impart to any subject in which he was interested, to which many ascribe his exaltation and celebrity

## Library of Congress

conferred on the blind preacher. "Socrates died as a philosopher, but Jesus Christ as a God."

Mr. Wirt's own Christian attainments assisting babes in Christ over those more highly imbued with the right spirit than men. Indeed learned metaphysicians, requiring all to be brought to their own comprehension for credulity, are the last to adopt the simple doctrine of faith represented, etc. "By faith are ye saved," and if all is knowledge, where is the faith or salvation? The foolish can sometimes confound the wise. I can also relate occurrences similar to Mr Wirt's.

While once in my lonely mountain forest on Sabbath, I heard of an appointment for preaching as a neighboring log cabin, I attended, but the minister did not. The occasion was converted into something of a good old Methodist prayer meeting, the members giving in their experiences. An old gentleman bent under the weight of years by the name of Muncy arose in the exercise. He was the veritable uncle of the great shining light of that name dying in Baltimore, too young for the maturity of his fame and spiritual power.

He began, to use his own language, about his "*en dee vors to sarve God, the ile and the wine, the sons and darters of Zion,*" and the blind preacher and Mr. Wirt to help him could not have delivered a more suitable and effective address to the audience.

I have heard colored servants in their dying moments more expressive and impressive than the learned.

I well recollect one dying in triumph use the really learned expression, "The way to die a Christian death is to live a Christian life." This is worth more than all the sophistries and speculations which worldly wisdom can suggest or adopt. But I did not design more than appropriate corresponding illustrations.

PRESIDENT JACKSON.



## Library of Congress

Returning again to Washington City, I must finish my visit to General or President Jackson in the Presidential mansion. I was carried there by my good friend Hon. Mark Alexander, then representing my native region, to whom I have so feelingly alluded as one of my best friends at my fireside and elsewhere. All have heard of 35 General Jackson's impulsive manner before he became a church member, frequently using a favorite expression, "By the Eternal, etc," and here would be materials for another book, but am only gliding into actual personal incidents and occurrences. During the usual conversation Hon. James M. Mason, of so many elevated positions, came in and enlivened the conversation, during which General Jackson inquired, "Mr. Mason, how many children have you?" He replied, "Too many, General, too many." General Jackson replied, "Can't be too many, if they inherit the merit of the father." But it was said with such evident earnestness and grace of manner as to exhibit no coarsened, and exciting no blushing sensibilities, there being too much truth in the remark for any doubtful interpretation. Although such biographies and delineations are generally confined to politicians, statesmen and warriors of the land, they would be incomplete with entire omission of the ministers of the Gospel. But here comes such a dazzling array as to defy separation and discrimination. It would be something like the milky way, rather a conglomeration of shining lights than any special coruscation. I have not intended to transcend the confines of my own observation which is too extensive for full enumeration, I will confine myself to a classification of those associated with revivals of widespread notoriety and usefulness. First and foremost in my own association looms up, loftily the Rev. Dr. Theodorick Pryor, (the father of General Roger A Pryor), whose biography is extended in the recent number of the Presbyterian Encyclopedia, who was Moderator in the Lexington Assembly, and thus preached the opening sermon in the last General Assembly, in Vicksburg, and of great power of body; mind and Holy Spirit, and well suited for revival occasions

GREAT REVIVALS.

## Library of Congress

The revival to which I especially refer certainly included the 30th of August, 1838, and many months or weeks preceding and succeeding the 30th of August, 1838. It embraced nearly every prominent politician and citizen in the whole country. There was a famous racetrack in that country where the veterans of the turf delighted to congregate and test the speed of the famous Virginia race-horses of highest blood every Spring or Fall. When the races came on that Fall, the President and both Vice-Presidents of the Jockey Club were members of the Presbyterian Church. The proprietor failed. The whole 36 place was sold, and bought by a member of the Presbyterian Church. There was one most remarkable coincident of that remarkable revival, that not one was ever known to abandon the faith and profession he then assumed. I stood by the bedside of one who first announced approaching dissolution in the exclamation, "This is death, glory, glory, so happy, so happy." Skeptics may live skeptics, and boast of their skepticism, but could not on such exhibition withhold the supplication, "Let me die the death of the righteous, and let my last end be like his." But, in the language of that illiterate dying colored servant alluded to, "The way to die a Christian death is to live a Christian life." How can such blissful consummation be attained without the use of the means enforced. The great Spurgeon well remarks: "You will generally find that unbelievers do not read the Bible, and do not read the Gospel, and how can they believe in Him of Whom they have not heard. If they will not consider the Gospel candidly how can they expect to believe it." The other animated revival was under the ministration and direction of Rev. Dr. Hoyt, of Georgia, father of the present successor of the sainted, glorious old John Chambers, of Chambers's Presbyterian Church, and so acceptable and satisfactory to its members. And a minister might be first-rate and still not a satisfactory successor to such a great man as Dr. Chambers; and great because he was good. That Father in Israel, as well as otherwise, Dr. Hoyt conducting that revival was the only man I ever heard use the declaration that he had been so filled with the Holy Spirit that he had prayed to the Lord to stay his hand. His exuberance really interfered with complacent exhortations. It is not at all remarkable that any of his descendants should be imbued and animated by the same Holy Spirit. But I am, perhaps, departing from the strict line of presentation and discussion

## Library of Congress

interesting and desirable to others, except that since some divergence from such line I have understood from you that your intention was to embrace any topics or occurrences connected with my own life and observation and experience. And how could such brilliant and beautiful consummations be suppressed and overlooked in such enunciation, and being requested to write for North and South, it may be important to minister to different tastes as well as different climes. But returning North, perhaps the most interesting and magnificent public exhibition, with the grandest concomitants, and grand success, under such consummate generalship of Generals Hawley and 37 Goshorn and their efficient coadjutors, in the most brilliant achievements of the age, in the great Centennial of 1876, at the Philadelphia Fair Grounds. Of course, the "Old Virginia" building I erected for the State and friends from all sections, was for me the objective, subjective and attractive object, from associations and incidents still fresh in unfading memory. I must here relate something of a joke with my friend Goshorn, general manager. When I applied for the particular location he consented very readily, but with some disparaging remark that it was of little account anyway, being somewhat distant from the general State row, which, in the chilly winds of Winter and Spring, presented genial, comforting sunshine.

### AT THE CENTENNIAL.

I was, however, building for *August*, amongst the magnificent tulip poplars, almost solid shade, as I may show from photograph. When the hot weather came few could stand that scorching sunshine, while the surging crowd thronged around Old Virginia; one register out of six containing fifteen thousand signatures, and I suppose not one in a hundred registering. There was one magnificent tree, measuring ten feet in circumference ten feet from the ground, I had named the *Corcoran* tree, because it was dispensing such comforts and blessings to suffering humanity in the oppressive weather, Mr. Corcoran himself an honoring guest. I told him it was then the *poplar* tree, but put the u (you) in it would make it the pop-u-lar tree. I hope to annex his photograph. So many were associated with these incidents and occurrences as to supersede special reference. Perhaps about the most interesting was the assemblage of General Smith's Lexington Cadets in front for special

## Library of Congress

reception and salutation, Hon. Samuel J. Randall being selected orator. As proprietor of the building it was regarded my province and pleasure to introduce him, being in locality a Northern man for Southern subjects generally. I remarked, in affect, that as long as the General Government under the *flags* then waving over it (old Virginia also proudly waving with the United States) extended to all citizens equal rights, equal privileges, equal protection, palsied be the hand that should be uplifted to tear away a single stripe or dim the lustre of a single star. That they should stand up to the bare pole when the colors it supported had been tattered into fragments. That they should never surrender, unless to the darts and glances so formidable 38 on the present occasion. The sentiments were responded to in animated vociferation and action. Mr. Randall performed well his part, as usual on all occasions, followed by Senator Withers and others, all in harmony and, indeed, exultation. This reception was somewhat impromptu and without full notice, though collecting a crowd embellished by brilliant ladies, and all long to be remembered and appreciated. The special preparation was reserved for the parting salutation. Gen. Fitz Lee was the orator, wielding efficiently the sword and the pen, as well as the tongue. I think this appointment was for 2 P. M. I understood, however, General Smith received a telegram inviting his whole corps to supper at a hotel in Baltimore, desiring him to name the time. His reply was: "Supper for seven," of course meaning 7 o'clock. The generous hotel-keeper, however, construed it as supper for seven persons, and said he was always prepared for that number, and made no special preparations. To fulfil that appointment it was necessary to be at the Virginia building at 1 o'clock, one hour before the appointment. It was by accident I was present to make the explanation, and thus a most enjoyable occasion frustrated, and so the cadets missed the speeches and their supper; but I think will be full well warned and full armed on any such subsequent arrangements. Gen. Lee as usual, in peace and war, was on time and fully equipped for his duty. His disappointment was even greater than the cadets, informing me he had a particular desire and preparation for the occasion. I hope I may still obtain the intended address on a similar one, perhaps that on Chancellorsville, so commended whenever delivered. I made but one complaint at that grand Centennial exhibition, that after paying the duties on a

## Library of Congress

shipload of Burgundy, and getting all I wanted, and hauling it out to the grounds, I had to haul some back, and there may be still a chance to remove some of this only complaint. The Centennial celebration of the Surrender at Yorktown, when Mr. Winthrop, of Boston, delivered the great address, with Southern poets, was in corresponding significance to the occasion graced by President Arthur, Mr. Blaine, Mr. Lincoln, and others, and hope to annex a map, with illustrations of the monument in preparation, and the locality of different occurrences, especially the precise spot of the surrender, not where generally supposed, history unmistakably explaining its accurate designation, it being unfortunate that such a monument will be erected where so few will see it. But it is not uncommon for the greatest battles to be fought in the most obscure localities, but not the less potent in the results, it being most devoutly desired that obscurity will effectually conceal all such conflicts, and that peace and plenty will reign supremely through every land and country.

### JAMES' RIVER MANSIONS.

I was once with General Harrison at the Virginia Springs. One of my particular friends and neighbors, Dr. Henry E. Shore, had a brother under his command, and I was interested in the conversation between them in such connection. He was cordial in his manners, and sufficiently communicative, recollecting some anecdote about a tar cap, and an old man marrying a young girl, but not all the particulars. He too found the cares of the Presidency too heavy, and exhausting, Governor Tyler lucky as his successor and *otherwise*, the likeness of Mrs. Tyler, as a bride, adorning the extensive walls of Carter's Grove.

I have referred to Gov. Tyler in different positions, with Mr. Clay, acting well his part.

I have been familiar with General Harrison's birthplace, Berkeley, on James River, adjoining Westover, now owned by friend Drewy, for many years visiting it not very long ago, being one of the magnificent James River estates. General Harrison's removal to Ohio seemed to have separated him from his Virginia friends, some of his relatives not supporting him for the Presidency. I have also been near his famous battle field,

## Library of Congress

Tippecanoe. I have known no family in the world of more elevation and refinement than the Harrison family and connections, embracing Carters, Lees, Braxtons, Bradfute, Page, Wickham. The names of Carter Harrison, Carter Lee, Carter Braxton, Carter Bradfute, Williams Carter, Williams Carter Wickham, Carter Page, Carter Burwell, etc., being of elevated familiar significance; Harrison first and last in similar recurrence.

Paulding, in his letters from the South, gives graphic description, more particularly of the hospitality dispensed at these old James River mansions, many erected long before the Revolution. I recollect one illustration that visitors had been made so welcome, and so much at home as to complain of the long visits of those arriving after themselves. The grandiloquent John Hare Powel was a visitor there, 40 especially at Westover, then the seat of the Byrds. I was once riding over his stock farm in West Philadelphia, desiring to purchase some for the South. His grand appearance is vivid in my recollection to this day, as he sat upon his horse, head turned up hill, and in his portly manner remarked: "The bacon hams, the blood horses and *men* of Virginia are the best in the world, but the dray horses and the cows are the meanest." Mentioning the circumstance to Mr. Wm. F. Wickham, father of General Wickham, he suggested a correction or *variation*, that it was the *women* he thought so captivating, that when he first knew him he was courting Miss Byrd of Westover, and with his fine appearance and fortune, a formidable rival, but I believe she preferred and married a Harrison.

I now own the Carter 's Grove farm below all these places, and perhaps the largest in the State; hall in the centre, 27 feet wide, and all of English materials. Gov. (King) Carter has a clause in his will furnished me by a connection, Dr. Randolph, of Clarke county, stating: "It is my will that in all times to come this place shall be called and go by the name of Carter's Grove." His grandson, Carter Burwell, inheriting it, and dying long before the Revolution, no Carter has ever since occupied it, but the name is restored in obedience to such request. If any extensive publication, I hope the photographs of most of these grand old places can be annexed; also exhibiting the different battle fields around Richmond and Petersburg, Malvern Hill, Bethel, Dutch Gap, and now converted into usefulness by

## Library of Congress

curtailing the distance of James River travel a number of miles, with the sword converted into a ploughshare, and the spear into a pruning hook. 'Peace hath her victories as well as war.'

### GENERAL TAYLOR.

I was with General Taylor when an Indian fighter in the South. I asked him his opinion of Indian bravery, or whether they possessed such an attribute. He replied they were brave according to their idea of bravery, which was to do the most harm to others while sustaining the least for themselves; that they would make a brave attack, and immediately run and conceal themselves in some place of safety.

I also saw him when President on his visit to Richmond at the unveiling of the Washington Monument, and when Governor Floyd 41 made an appropriate address. He, I suppose, was no speaker in usual acceptation. He did make a few remarks from the monument, recollecting a remark that in returning to his native State he felt like a child returning to its mother. The cares of the Presidency were too much for him, dying soon, and succeeded by Mr. Fillmore, who entertained me very cordially and politely in his own house, and was very accomplished in his manners, and I suppose of as much elevated purity and propriety as usually attainable in any position in life. Mr. Blaine has fully elaborated all the administrations, and many have opened the way for similar criticisms, animadversion, or admiration. It is not always safe to elicit the opinions of adversaries. Without any particular application, I am reminded of a stump speaker once indiscreet enough to ask the opinion of an opponent upon the speech he had delivered. His reply was: "I think you and I can outaverage any two men in the country lying, and I not say a word."

I doubt whether any two persons of such eminence and excellence lived or died with such diversity of exalted qualities and acquisitions as Mr. Calhoun and his colleague, Hon. Wm. C. Preston. I had some correspondence with Mr. Calhoun, and heard him speak,



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but little or no conversation. I am impressed that he was of a taciturn, uncommunicative, undemonstrative disposition, unless specially aroused by some incident.

From repeated opportunities at the houses of his Montgomery relatives and elsewhere, I was favored with evidence that Mr. Preston was totally different. I was with him when a crutch was necessary to uphold his body, when the buoyancy of his mind seemed to need some weight of pressure to develop its full strength. There was something magical in the twinkle of his eye, and even utterance and manifestation. He could spin out words such as m-is-er-a-ble to give them ten times usual force. I was once traveling with him when on his way to Washington, and when an accident or obstacle on the railroad delayed us considerably at Weldon, I think, at the same hotel. He had been engaged in the great Presbyterian Old and New School case. The great Dr. Plumer, then pastor in Richmond, and Dr. Hill, of Winchester, opposing champions with some bitterness of feeling and manifestations.

Dr. Hill was with us during that delay, and very pleasant and communicative in conversational entertainment. Dr. Hill in general conversation inquired of Mr. Preston as to the personal relations between him and Mr. Calhoun. His reply was: "We touch hands." Dr. Hill undertook to administer a little friendly rebuke that brethren (or colleagues) should dwell together in unity, etc. Mr. Preston could not contest such presentations, and at the time made little or no reply. In further conversation, Dr. Hill happened casually to remark that he expected to stop a while in Richmond. Mr. Preston, with his inimitable twinkle, simply remarked: "I suppose you will stay with Brother Plumer."

Dr. Hill, with some apparent confusion, quickly replied: "I don't expect to be invited." But a full sermon on brotherly love could not have been more effective in the admonition that in administering any rebuke or criticism, we should be mindful of our own exposure.

Your first solicitation for some contribution for your interesting paper, presenting no specifications or suggestions, I have thus yielded to the current of my own reflections and



## Library of Congress

impulses, and thus somewhat diffuse and irregular, my object being the gratification of any interest or curiosity, and the accomplishment of any good. The incidents of that blockade running, assistance to prisoners, etc., indicate and confirm the peculiar advantages of an open, bold manifestation in every department of life. Had I indulged any skulking, dodging or equivocation, I might have been arrested a dozen times, but by the course pursued have not to this day encountered an unpleasant incident and apprehensive of none, and thus some value in such presentations. Your references to Mr. Blaine's book are of subsequent origin, suggested by occupancy of the same ground to some extent, and additional interest and benefit by the fact of different standpoints. I have neither the ability nor vanity to enter into any controversy or contrarities, and now ignorant of the source of your solicitation for anything. My sphere in life has been professional with legislative experience within my State. It is true I have been proclaimed a candidate for Congress from the hustings by too partial friends and been met on different occasions by crowds and bands of music in advocacy of their desire for me to be Governor of the State, but never embarked as candidate for either, and the compliment thus more highly appreciated. I can have no personal views or, indeed, political in any reference to Mr. Blaine or his book, or any position or aspiration he may occupy. Not having voted in such contest for 43 over 20 years and never expecting to do so again, for though retaining domicile, church membership, eldership, etc., in Virginia, am too much absent from peculiar circumstances to engage in the usual local contests, and thus not offering a vote of any sort for many years. This I say in obviation of any impression of influence from any political considerations.

### MR. BLAINE'S BOOK.

I can truly say of Mr. Blaine's book that it exhibits a research and combination and illustration of events beyond any reasonable conception or anticipation of the capacity of the operations of mental faculties or physical endurance. He must have kept an accurate diary of events as they occurred during each of the twenty years in Congress, and except that so much relates to slavery, now obsolete and not likely to be revived or even thought

## Library of Congress

of, his chronicle of occurrences would be of inestimable value. Whether it is best to criticise or obliterate these works and reminiscences or make record, is a matter of taste and judgment for each individual and community.

Each section may feel a proper desire that any matter of controversy should terminate by occupancy of correct and appropriate position. The South like the North previously found itself in the possession or encumbrance of slavery. What could be done? As an original question many in the South would have been as much opposed as in the North, and thus now opposed to restoration. They, however, felt there were rights guaranteed by the Constitution invaded or likely to be, which it was their duty to resist, and felt no hesitation in such resistance, and no lamentation for results as such. It is remarkable that of the great anti-slavery opposers or agitators as enumerated by Mr. Blaine, not one by residence or otherwise had opportunities of correct judgment or determination for their own conclusions. Few of these fought any of the battles, while those actively engaged in many instances were even opposed to such machinations. The slave population never incited it, for, as before stated, there was scarcely a murder or desertion witnessed, and generally, quiet residence, since their emancipation, and I may add emancipation of their masters, many of whom had to resort to other sources of income to sustain the expense of raising so many children and supporting so many enfeebled by age and disease. Whether these are substantially benefitted each may determine for himself. The able-bodied may make a more independent support. But the instances of those fed for twenty years out of Congress or requisition of labor sitting under shade trees, with deed or bill of sale for the essentials of their comfort on the whole farm are not likely to be again exhibited, but ardently desired and sought for, they being the judges. Instances of barbarity might occur as to masters and husbands without destroying the peculiar and respective institutions. But my object is simply to enforce that neither side has any special reasons for criminations or retrospect to disturb present relations or future argumentation, and thus let all rest in peace, with direction for more useful and practical considerations.

## Library of Congress

While Mr. Blaine's book thus exhibits a most remarkable and commendable research and presentation, it is reasonably evident that all is colored and regulated by the particular standpoint of nativity, locality, and incidental associations not quadrating with those from different standpoints and interests. The characterization of "extraordinary," "aspersion," etc., as applied to the views of others occupying much higher positions in U. S. Senate and the offices and elevation of their countrymen and constituents certainly admit of argument and opposition, the indulgence of which may be useful in balancing any asperity or exacerbation thus engendered resulting in the desired consummation of personal and national peace and conciliation. Mr. Blaine's allusion to Mr. Davis, President of Confederacy, is as fair as could be reasonably expected, and for illustration of the assertion will quote verbatim, though no room or object for more. Referring to his resignation of his position as Senator in the U. S. Senate, he states: "In his farewell words to the Senate there was a tone of moderation and dignity not unmixed with regretful and tender emotions. There was also apparent a spirit of confidence and defiance. He evidently had full faith that he was going forth to victory and to power. He presented an analysis of the difference between the remedies of nullification and secession. Nullification was a remedy inside of the Union, secession a remedy outside. He expressed himself as against the theory of nullification, and explained that so far from being identical with secession, the two are antagonistic principles. Mr. Calhoun's mistake according to Mr. Davis was in trying to nullify the laws of the Union while continuing a member of it. He intimated that President Jackson would never have attempted to execute the laws in South Carolina as he did against the nullifiers in 1832, if the State had seceded, 45 and that therefore his great example could not be quoted in favor of 'coercion.' It is not believed that Mr. Davis had the slightest authority for this aspersion upon the memory of Jackson. For several years he had been growing in power with a powerful element in the Democracy of the free States, and but for the exasperating quarrel of 1860, he might have been selected as the Presidential candidate of his party. No man gave up more than Mr. Davis in joining the revolt against the Union."

Now whether the expression of opinion as to the opinion of another in an emergency never having arisen, is an “aspersion” in usual acceptation of the term, and whether such sentiments and action deserve the execration and condemnation administered, each can judge for himself. The South honestly believed that a continuance in the Union under the circumstances and prognostications endangered their rights as guaranteed by the Constitution, that secession was preferable to nullification, and, indeed, preferable to such continual wrangling in same deliberative bodies; had never desired nor designed more than to act on the defensive.

At the time of the association, previously referred to, while Mr. Davis continued to anticipate “going forth to victory and power,” he desired the separation in the most peaceful manner possible, and at that time such separation seemed best for all concerned. Subsequent events may have changed such appearances, and all may be best as occurred. Any deriving comfort for such connection with so many hundreds of thousands hurried into eternity may find little opposition or ground for any congratulation and complacency, and thus another removal of conflicting feelings and diversities, with corresponding promotion of mutual gratification and complacency—and thus let the past be buried, which, however, disposes of perhaps the largest or a large proportion of Mr. Blaine's presentations. As previously argued the best that can be done is to offer facilities, inducements and auxiliaries to make the new fledged citizens good and useful citizens, no one class or denomination sufficient for an entire body politic, and thus incentive for promotion of every ramification and department. The odium attached to slavery was much in the name. Call it servitude, apprenticeship, or any similar nomenclature, though the same thing, much amelioration might result. The intelligent, the artisan, the efficient laborers may get along under their own management and government.

## Library of Congress

But in my view, the philanthropists, in amelioration of the term abolitionists have now a more weighty duty to perform in providing for those under the emancipation, secured or inflicted, more especially the aged, the infants, the diseased and disabled from wounds, broken limbs, etc. Formerly, as I explained, the aged had a deed of trust on the farm they had cultivated, for sometimes long life, and not a lick of work required. The able-bodied becoming sick, there might have been a sordid calculation of loss from death and the best medical and other attendance secured. The infants gave some assurance of future profit, justifying present expense and protection. These incentives removed, some substitution becomes indispensable. I am thus arguing in behalf of the emancipated and presenting what should be a pleasing duty to the emancipators, desiring to be regarded amongst the emancipated and in need of the cooperation of the emancipators, not long paying a doctor's Bill for one breaking or injuring a limb by too much freedom in the use of fire-arms without the means of such payment, and though amongst the working portion never expecting to collect a cent of such bill.

I repeat there is much more need of sympathy and philanthropy now than formerly in such cases, and I shall regard it as among the blessings of emancipation if such benefaction be secured. Although one-third or more of Mr. Blaine's book is devoted to this subject, now obliterated, I feel I have said enough to dispose of it for the substitution of what might be termed the aid societies for those thus in need of such aid. It was perhaps the inelegant expression of a former owner in applying the term "cannibals" to those he owned, because he had to sell some to feed the balance, the alternative now being in some cases starvation or suffering, and thus hope I may be instrumental in accomplishing some good, being my only controlling object in these presentations.

The remaining subject of controversy as discussed by Mr. Blaine or prominently exhibited, is the tariff question, unfortunately still a source of discord and dissension. As before stated, this subject depends much on locality, climate, occupation, all concentrating in individual personal interest. The most remarkable feature in Mr. Blaine's description

## Library of Congress

consists in the most remarkable tergiversations of the most able and learned financiers and political economists. He includes Washington, Madison, etc., as amongst the original protectionists of former times. Mr. Calhoun subsequently, not only for protection but for internal improvements. Mr. Webster, then a free-trader, looking to the commerce of his particular section. Who can now imagine that Pennsylvania members opposed duties on coal, desiring cheap importation in development of their ores. That Maryland desired similar protection for manufactured glass then made in her limits. That indigo and tobacco were once protected in Southern interest, and once 3 cents duty on imported cotton? What reflection that Mr. Webster should become a strong tariff man and Mr. Calhoun a nullifier of tariff laws. Who with such examples can be intolerant of any expression of any opinion lest his anathemas may be hurled against himself in some subsequent emergency? Mr. Clay was much the most consistent, because, perhaps, much the most moderate in the position of lending a helping hand to the infant manufactures of the country, while raising the necessary revenues of the Government, the feature of protection based on protection of peculiar products. The area of manufactures and products supposed to be benefitted by such protection is becoming so extensive as to curtail and subdue this source of discontent and vituperation, that no majority can harmonize without some favor to this object. A party must sensibly consider whether in requiring all to its liking they may lose all, or even adopting that which is objectionable secure a part of its predilections. It is thus we may anticipate relief from party acerbities and vituperations, and it being my object and effort to remove all sources of discord and division, I may cordially indulge the gratification and anticipation that even at least the bitterness of this discord may be sweetened by the diversity of occupations in the different regions, or the peculiar productions of each community so regarded as to harmonize the whole, thus all uniting in one common current of prosperity sweeping away all petty discord and diversity, and uniting in one general stream of national exaltation, bidding defiance to the armies and machinations of the world.

## Library of Congress

I have already referred to the circumstances, and your suggestion that, occupying the ground so fully explored by Mr. Blaine, I necessarily come in some conflict, collision, or contrariety, as you say from different stand-points, giving me the advantage of some *personal* observation and experience.

48

Far be it from me to seek any such collision or conflict unless from sincere desire to do actual good in removal of any prejudices or error or injustice essential to proper understanding or appreciation.

Though once called on by a State Legislature to revise a State code of laws, I feel incompetent to a revision of the general topics discussed by Mr. Blaine, though from nativity and locality, and consequent disability, he may unintentionally advance sentiments unjust and unreasonable.

In reading his learned book I really made a memorandum of some of the terms thus used, not altogether consonant to ears polite or in fair and open delineation of the history of exciting times, each section entitled to the privileges construction, and appropriation of any peculiar sentiments or even coincident misconceptions. I find on my memorandum the terms "insolent," "insulting," "extraordinary," "aspersion," "insolence," "abhorrent," "ludicrous," and in every instance applied to persons in high or higher political or personal position than he occupied at that or any subsequent period of his life nearly all in their graves as well as their associates or contemporaries in the thrilling scenes referred to.

Indeed he specially enumerates Hon. Jefferson Davis, Robert Toombs, and R. M. T. Hunter, as all, in certain coincidences, now living, and who can now vindicate any disparagements or criticisms.

The allusions to Gen Robert E. Lee, so far as they indicate haste and anxiety to unite in what he calls rebellion against constituted authorities, are inconsistent with the

## Library of Congress

impressions which had occupied my mind and suppositions, being so much exposed as to property and the confidence and favor of the government he was then serving.

Here rises in proud exaltation the considerations of nativity, and all those social and endearing ties without which man would be a brute and unworthy the appreciation of elevated and refined humanity and philanthropy, in any sphere in which he might be required to act. I have already referred to the elevated and endearing associations of a family I denominated about the most remarkable in its consanguinities and just pretensions I knew on earth; and that with no expectation of subsequent reference in illustration of the tender feelings of our natures, without which icebergs would be more appropriate illustrations.

Now it may be beyond my province to judge or suggest what might 49 be or should be, the feelings of others. But I have a right, and, in this case, reason for judging or imagining those that would prompt *me* in similar emergencies.

### HOW MR. BOOTH FEELS.

I thus feel that if I had a nativity and locality amongst the icebergs of Maine, or even a less frigid region, and Gen. Lee had acted differently, or drawn his sword against the land and companions of his native section and early endearments, even if differing with him, a howl of denunciation and disgust for opposing his native land would have so shaken those granite hills or mountains that the vibrations would have extended through the length and breadth of that native region. Gen. Scott might have once supposed himself actuated by duty and patriotism competent to such invasion, but not when he used to me the words: "No position, no influence, over there at the North." It was known "o me that his own nephew, one of my highly esteemed schoolmates at that Winfield Academy, named thus after him, had in that immediate vicinity, actually buried as a dead body a portrait which had proudly exhibited the noble and manly features exciting so much admiration and regard. While few so deprecated such collision and animosities, still fewer



## Library of Congress

could so intensely abhor the absence of those ties and sensibilities which should at least soften if not subdue the acrimony and denunciation indulged by inferior impulses and prepossessions.

In thus presenting and enforcing the ancestry and national prepossessions and predilections of Gen. Lee, I might refer to an occasion complimented and enhanced by the presence and cooperation of Mr. Blaine, having occupied a seat near him during the delivery of Mr. Winthrop's great address at Yorktown 19th of last October. I had been previously instrumental in the preparation of a map of Yorktown and contemplated monument, with the distinguished localities and personages connected with Revolutionary incidents, and that special occasion. Prominent in that perspective appears the handsome figures and military regimentals of "Light-horse Harry Lee," the distinguished father of Gen. Robert E. Lee, the friend and companion of Washington on that occasion, and the object of Washington's enthusiastic subsequent support in excited and important Congressional elections, 50 afterwards governor of Virginia, and author of the sentiment as applied to Washington: "First in war, first in peace, and first in the hearts of his countrymen." The twin likenesses of Washington and Lafayette, with the American and French Generals and comrades are in prominent representation.

In the same line and prominence with "Light-horse Harry Lee," and Patrick Henry, appear the likenesses of the living heroes of the occasion in the distinguished poets, Hayne and Hope, and orator of the occasion, Hon. Robert C. Winthrop, immediately in connection with the beautiful and inspiring monument in process of erection.

If that map had been of subsequent preparation it might have been suitably embellished by the photograph of Mr. Blaine as a participant in such celebration.

I have it however, not only in his book, but of special acquisition, and if I make a book, such an ornamentation shall certainly not be neglected, not dreading the comparison with

## Library of Congress

those that may accompany it. Indeed, I must try to annex and associate this wonderful rasp with any book or preparation I may present.

But I really commenced the allusion to this map and incidents to antedate the ancestry and inherited patriotism, chivalry, and devotion of Gen. Robert E. Lee, in appreciation of any kind of independence essential to the land of his nativity, where he first saw the light of heaven, and where, by choice, he preferred his disembodied spirit should take and did take its everlasting flight.

Mr. Blaine's declaration as to Gen. Lee that "he gave the influence of his eminent name to the schemes of those who by every agency, *fas aut nefas*, were determined to hurl Virginia into secession," is certainly different from my preconceived impressions, which were that he never meddled in politics or *schemes* of any kind unless in connection with his duty and the military success of his whole country, in Mexico and elsewhere, and that if he took any step in advance of secession it was in certain anticipation of such contingency and desire for the aggrandizement of his native State and associations. I never had the pleasure of an introduction to him till by a very elegant lady at White Sulphur Springs, after the war, inducing me to repeat, in playful allusion to the remark of an individual on the mention of Mr. Jefferson's name, that "he had *heard* of Mr. Jefferson, and believed he was a very respectable man," which he seemed, in similar playfulness, very willing to appropriate; but beyond the limits of what he regarded as duty and propriety, do not believe he had schemes of any kind.

As before illustrated none of the fighting men evinced any bitterness or invective. I have sufficiently referred to General Meade and occurrences in his tent and elsewhere. I was in General Crawford's tent and he was at my private residence, all exemplifying the illustrations expressed. General Grant very magnanimously is willing to contribute of his substance to maimed and suffering former adversaries. I have also adverted to the fact that not one of the prominent slavery agitators ever lived within corresponding boundaries, with opportunities of judging.

## Library of Congress

It is now of little use to refer to these somewhat obsolete issues, except that all may rest in peace and proper position; that all acerbities may be sweetened and all wounds permanently healed.

My predominant solicitude is to ascertain what substitutes are to be provided for the former abolition societies and agencies.

What of *substance* is to be provided for the sustenance and support of those deprived of former protection and solicitude? I am not repining at the boasted success of such achievements; but surely the battle is perhaps not half won till followed up by more substantial evidences of some new-born zeal in perpetuating and enhancing the results of such congratulatory performances. I hope Mr. Blaine will excuse me for thus suggesting useful material for his next volume of *live* issues and benefits, and not exhaust such prolific resources and investigations and criticisms on the dead past of painful retrospect, if thus confined; of unprofitable and interesting vaticinations of the anticipated benefits of emancipation. It may be that he will have a higher, and the highest, sphere of operations to accomplish such important and beneficial prospective. I have explained that though to some extent a maker of the State laws, I have been unwilling to encounter the disquisitions and distinctions of domicile and residence, thus paralyzing one vote against him or in favor of any competitor for the high office to which he aspires under the presentation of admiring friends, and thus feel a more disinterested commentator on the occurrences of the past or consequences of the future, and these desultory and disconnected responses for the Progress, uninfluenced by any personal or political considerations, and no such allusions contemplated in the commencement; a collision of sentiment and argument 52 being sometimes productive of results preferable to original contemplation, having no ambition nor aspiration beyond compliance with reasonable friendly request and the accomplishment of any good object or purpose.

THE MISFORTUNE OF A FORTUNE.

## Library of Congress

Although the preface to any production usually comes first in the order of reading, it is generally the last in preparation. This is peculiarly so on the present occasion, never having seen it until all the preceding had been prepared.

I have previously expressed ignorance or uncertainty as to the specific object and limits of your first application. I thus felt at liberty to inaugurate any topics or discussion the current of my own impulses might suggest or glide into, and thus little regular order or ramification, it frequently being the desire of editors to command any materials supplying their columns with any interesting reading matter.

From examination of your preface or explanation I find more definite suggestion of personal biography, and individual incidents than I had supposed, not having the slightest idea of the source whence you derived information of any peculiar personal reminiscences or association.

Those of a public nature have already been adverted to, though, as stated, with little order in presentation.

I have deferred individual personal references from absence of anything of general interest or benefit to others, my prevailing impulse and aspiration. If I undertake such personal exposition, it is to incorporate any incidents or occurrences of general application or benefit to others.

In this connection I may perhaps present some occurrences and results, especially in the somewhat ingenious exhibition of the misfortune of a fortune, and the fortune of a misfortune, occurring in the every day manifestation of every community, and useful to the rising generation in every clime and country. The history of most or many of those attaining distinction in the elevated success and wealth and honors of the country, will most usually find their origin in the necessity of individual exertion and laborious attention in some useful occupation, I don't know that I can more satisfactorily comply with 53 your

## Library of Congress

desire for any personal incidents than to republish some already in existence, having some personal desire for their preservation for any future usefulness, rather than for individual commendation, and as preliminary, will dispose of the individual biography, the execution of which may to a considerable extent accomplish the purpose of your first solicitation.

I was born in the county of Nottoway, Virginia; commenced my Academic preparation at Winfield Academy, in that vicinity thus named in compliment to Maj. General Winfield Scott, a native of the same locality, and I was greatly interested on some crowded occasion in Richmond by introducing him to the descendants of his early friends, embracing my own father, with generally kind reminiscences of all. This also gave me access to him during the war, or latter part of it, as prominent actor, then, however, in his own terms, "No position, no influence," the favor of his early friends also impaired.

My chief preparation was in Oxford, North Carolina, entering the college at Chapel Hill at 14, graduating at 18, with opportunity of exhibiting one of the warning beacons or examples primarily presented in the misfortune of a fortune, sufficient for the indulgence of some exception from the necessity of exertion and application essential to success.

I did take a course of law lectures at Judge Lomax's law school, in Fredericksburg, Va., somewhat as an accomplishment, though the only one of a large class receiving his signature to a law license, all not justifying it, and thus declining at the time, but with private suggestion of sending him mine, thus receiving his signature. As further beacon, I did not then go into vigorous practice till threatened with overwhelming embarrassments from responsibilities of an only brother in large commercial speculations and otherwise. I then surrendered every dollar of my property to Judge Thos. S. Gholson, with Judge Jas H. Gholson and Judge John F. May as advisory counsel, with remark that I would qualify on any residue as Administrator *de bonis non*, it being a remarkable fact that I was thus such Administrator on my own estate, all having been my devoted friends to the last moment of their existence with frequent recurrence to such expression. But I only desired to say: I thus embarked into the most vigorous practice of the law, the clerk of my county

## Library of Congress

soon remarking, "Your practice is equal to every lawyer at this bar put together." 54 There being two sides to every case, it is necessary to explain it resulted from the business of almost every Petersburg firm and estate in that section, and in the country, with application of the living to be their Executor when they died. As a member of the Virginia Legislature 1848 and 9, I was selected with able coadjutors to revise the laws of the State.

This was about the commencement of the war-like premonitions and thunderings, soon silencing usual avocations and occupations, and this retrospect and delineation essential to some compliance with your request, as well as preparation for the recollections and associations of my peculiar position, enabling me to present and perpetuate many of the incidents and concomitants of the war, which circumstances do not extend to any other individual imposing on you the responsibility of any exposure to criticism or disparagement.

IN WASHINGTON IN '61.

As previously explained, I spent much of the winter of 1861 in Washington, under Union proclivities for the North and South, both political and personal. The master workmen in such important consummation were Hons. Thomas Ewing and Samuel F. Vinton, of Ohio, and John I. Crittenden, of Kentucky, with elevated co-operation of others. After much earnest deliberation and consultation, preamble, resolutions, etc., were drawn up in the handwriting of Mr. Ewing, warmly approved by all thus named, and, as Mr. Ewing informed me, would be supported by such as Hons. John Sherman, and Wm. H. Seward, and believed at that time satisfactory to all desiring satisfaction.

I carried them to Richmond. They were presented to a committee of the Legislature, by Judge Henry W. Thomas, of Fairfax, whose concurrences and adoption were sufficient to secure the elevated approbation of all adorning that category.

## Library of Congress

They were put in print, and I had in my possession a copy since the war, but mislaid, and perhaps the publication might open wounds it were better to remain cicatrized, and referred to us as evidence of earnest and sincere efforts for peace.

It seemed strange that in the turmoil and excitement prevailing, that committee could never find time or inclination for effective action<sup>55</sup> and presentation till the occurrences at Sumpter merged every other consideration in the doctrine *inter arma leges silent*. This retrospect may be useful in any succeeding emergency. Mr. Crittenden had previously presented what was termed the "Crittenden Compromise." I well recollect his considerate declaration, "That is better than mine," and also his further emphatic expression, "Secession is emancipation by blood." The war commenced, all in the current had to go with it, and an oblivion of the incidents is preferable to resuscitation.

The next important movement of the peacemakers was a peaceable separation, in the language of Mr. Everett, "If they will go, let them go in peace." Very few, during the first two years of the war, thought the subjugation of the South practicable, or desirable with any reasonable alternative. I confess this was the impression upon me when I started North. Having received Mr. Everett at the house of Judge Gholson, in Petersburg, Va., when he went South to deliver his great address, I was thus impressed by his sentiments and declarations.

But these matters of a public nature have been sufficiently discussed and the repetition herein resulting from the propriety of incorporating my individual connection as ingredient in the individual biography. Such allusion has been previously made to the memorial proceedings of Judges Moncure and Ould, and as applicable also to Judge Sharswood, as to justify full insertion more easily than partial elimination, adding the full speeches of Judge Parker and Mr. Brooke, only previously referred to in short extracts, and also adding in the enumeration of contents. The great funeral sermon of Judge Ould, by Rev. Dr. Hoge, of Richmond, Virginia, which may be appropriately succeeded by similar perpetuation of a production previously written by me on the "Personality of the Holy

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Spirit," I might be able to proclaim that I had adorned all the Presidencies and Kingdoms of the whole earth and all perishing in the using, unless the imbittered reflection of lost opportunities of doing good, thus biting like a serpent and stinging like an adder. As a closing biography to a closing life, I would prefer to leave this simple production as the "conclusion of the whole matter" to all the offices and adulations of a sinful world.

The names of those approving memorial and tract, whose letters, 56 quotations once made, are in the regular order: Rev. Albert Barnes, Judges Strong, Woodward, Sharswood, Rev. Dr. John Chambers, President Woolsey, Rev. Dr. Chester, and others not recollected.

Some of those commending the Memorial Proceedings are: Hons. Judge Strong, Mr. Winthrop, Mr. Faulkner, Rev. Dr. Dwight, Jne. W. Dulles, Mr. Colesbury, Jas. Alfred Jones, Esq., Judge H. S. Neale and others, some of which may appear if room sufficient.

Those approving verbally by the legion, and all important proclaiming in advocacy of proper sentiments and freedom in their adoption. Many letters applauding the *Progress* publications might be inserted in protection and support of the favor expressed by *Progress* and correspondence, and silencing the criticism and disparagement frequently the emanation and result of a frail or envious humanity.

The circumstances, incidents, and occurrences under which these desultory disquisitions and dissertations have been brought upon me, have been sufficiently delineated and explained, commencing in friendly impulse to perform a friendly purpose in supposed ability to enhance the columns of a worthy and interesting journal of such peculiar illustrations. The "currente calamo," widening and deepening into a full current beyond any reasonable anticipation on the principle of "acquirat vires eundo" in such *progress*, all concurring in the fair and just principle of representation of both stand-points, as only timidity or want of confidence could desire to preclude such representation in the "audi alteram partem" essential to full elucidation, even though different opinions and



## Library of Congress

conclusions might result from such presentations, the caption to the call on me, or the editorial preface, referring to the supposition at least “of a vast fund of reminiscences of men and things both North and South during and just preceding the war.” As a faithful historian or chronicler of actual events, occurrences, and impelling motives and impulses, it is both just and proper that all should be fully portrayed as adopted and acted on by those thus adopting and acting, and even with different sentiments and conduct, full allowance and appreciation should be accorded to those influenced by different circumstances and positions.

From my observations and experience in both localities, and about the only person with such opportunities, I am thus better prepared for candid and impartial presentation of the views and impulses prompting 57 and controlling the different politicians and combatants, and though in deadly conflict and collision, each in change of position, perhaps, confirming the action of the other. It was thus that the incidents of Gen. Lee's arraignment and invective should be considered. Not as an excuse—none being necessary—but to show that even those differing otherwise should appreciate the endearing ties of kindred and nativity, not concurring or confiding in any person's convictions if scheming “per fas aut nefas” to hurl Virginia into secession, or any *such* scheming for any purpose. My personal association with Mr. Toombs and Mr. Hunter impress me that they would disdain any defence or accusation of improper motives or objects. A. H. Stephens, Vice-President of the Confederacy, encountered criticism and invective for his conservative, peaceful manifestations, until he had to co-operate with his native section or in hostility against it, outliving any maledictions, and, indeed, commanding the appreciation of his former adversaries. My last association with him in Philadelphia that I recollect, consisted in supporting his feeble limbs (from exposure and confinement) in walking from my own house to return the social attentions of Gen. Robert Patterson, and receiving about his last signature while Governor in Atlanta, Georgia, to a friendly letter addressed to myself. The Confederate Secretary of War, Hon. James A. Seddon, in Congress perhaps during Mr. Blaine's “twenty years” or preceding them, is associated with my recollection of his brilliant

## Library of Congress

efforts at the bar prior to his marriage. Indeed, while a law student in Fredericksburg, I was cognizant of the high reputation of his father, compared to a square and compass to determine how near others were to being straight and right. His accomplished wife was entertained by me during the Centennial at the old Virginia building, the sister of my esteemed and elevated friend and college mate, James C. Bruce, whom I visited the first part of the war, alighting from his carriage, which he had sent for me, with the remark that I had not a particle of business with him nor a word in particular to say to him, only acting from previous and existing collegiate and personal proclivities and regard. I have already referred to Judge Robert Ould, so intimately connected with the Confederate government, and to his magnificent address in the memorial proceedings for Judge Moncure, and his deplored death, occurring in a few days; the same proceedings embracing his funeral sermon by his eloquent pastor, Rev. Dr. Hoge, indicative not only of 58 an honorable life, but peaceful and triumphant death, I fear beyond the attainment of any disposed to criticise or disparage.

But time and the patience of others preclude eulogy or even imperfect reference to the brilliant galaxy who, even if mistaken, should be above the invective or malediction of former elevated adversaries.

As before intimated, no noble warrior has thus indulged in any boast of conquest with such advantages, and instead of depreciation of any kind, disposed to accord the highest encomiums for valor and intrepidity.

It has been with much hesitation and reluctance that I have succumbed to such an undertaking and have to present the reasons and incentives justifying and prompting it.

I am perhaps the only man, North or South, with such varied experiences and opportunities by land or water to comply with the injunctions and applications made upon me. The nearest approximation perhaps might be my esteemed venerable and venerated friend, Rev. Dr. Peyton Harrison, of the genuine old James river coin and

## Library of Congress

stamp, having the same reasons as myself, under similar circumstances, in heaping the choicest blessings on others, to wish that they were not almost but altogether as he is, *not* excepting *these* bonds.

But I am perhaps indulging unwarranted and unsuitable exhilarations for such occasion. Whether I shall do more depends on what others may do or appreciate or tolerate, repeating my only aspiration and effort to inspire “peace on earth and good will to man” and *woman*, and all in both and all sections of every country, and without which the earth would be sad, and the desert a wild. It must be conceded, even by his distinguished competitor, that Mr. Blaine has the advantage of him in this respect, which is, however, of possible removal. How far a person's misfortunes should excite sympathetic amelioration by *other* success or by entire obliteration *otherwise* might tolerate and justify the suffrages of both sexes, and substitute smiles for sighs, a cheering and animating conclusion compensating all defeat and healing all lacerations.

It is now a matter for necessity of proper understanding and information and accuracy of dates and incidents, that these presentations should be extended, perhaps into a *book* of speedy preparation, though perhaps of necessary repetitions in similar explanations.

59

### INTRODUCTION TO SUPPLEMENT.

It is proper to explain that my allusion to Mr. Blaine's assertion as to General Lee, that “he gave the influence of his eminent name to the schemes of those who, by every agency, *fas aut nefas*, were determined to hurl Virginia into secession,” was made simply from impressions to the contrary, not really knowing how I acquired them. Mr. Blaine states in same connection, “It is fair that his action should be clearly understood, and that his name should bear its just responsibility.” This is certainly very “fair” and just. I have since examined the records and find that Mr. Lincoln's proclamation for 75,000 troops was dated April 15th, 1861, that the Virginia ordinance of secession was passed two days

## Library of Congress

afterwards, or 17th of April, also, in accordance with Mr. Blaine's statement. Mr. Lincoln's second proclamation, or rather command of obedience, etc., was dated April 19th. The Confederate Government had been established February 8th preceding. Now I copy verbatim from General Lee's letter to General Scott:

Arlington, Va., April 20th, 1861.

*General:* Since my interview with you on the 18th instant, I have felt that I ought not longer to retain my commission in the army. I therefore tender my resignation, which I request you will recommend for acceptance. It would have been presented at once but for the struggle it has caused me to separate myself from a service to which I have devoted the best years of my life and all the ability I possessed. Save in defence of my native State, I never desire again to draw my sword.

Most truly yours.

R. E. Lee.

(All with highest personal manifestations.)

Now it is fair to state that the vote on this ordinance was not taken till the 4th Thursday in May. But especially in Eastern Virginia, 60 where that extensive and distinguished family connection resided, where he first saw the light of heaven, this vote was a mere formality, or no vote substantially, nearly unanimous. That proclamation had silenced that brilliant galaxy of Union men sufficient to illumine the world, such as Hons. Alex. H. Stuart, Jno. B. Baldwin, Wm. C. Rives, Robert E. Scott, John Janny, Alex. H. Stephens, John Bell, in high positions. I say *silenced*, I might say became vociferous in behalf of their native sections, never having contemplated drawing any swords against them, and perhaps chiding General Lee and others for procrastination. Brave and determined men always act cautiously and circumspectly, from intention to stand firm in proper emergency. But that emergency had practically arisen the 8th of February, or more certainly 15th of April. You,

## Library of Congress

Mr. Editor, stated early in the reminiscences and presentation that I was "into it," in which I did not then concur. This may become necessary that all may be *fairly* understood.

There may be little use in discussions of the past, of slavery, State rights, etc.

But historical accuracy for reference by future generations, and what of the future of this generation, may be important. Already of that glittering phalanx enumerated the venerable, the venerated, pure-minded and elevated Hon. Alex. H. H. Stuart, remaining as the *Ultimus Romanorum*.

The foregoing was commenced prior to Mr. Blaine's Presidential nomination, and practically completed prior to his letter of acceptance, and thus no political significance or responsibility designed for any person. The diversity of views and presentations occurring from the different standpoints occupied, only a fair and full elucidation of the whole subjects from the entire ground intended. Nothing but unjust and unreasonable party prejudice can withhold from that letter of acceptance the highest commendation for ability, ingenuity, research and completeness of argument for *his side* of the question discussed.

But it has always been said there are *two sides* to every question. In this case there happens to be *three* sides. Manufacturing, Commercial or Shipping, and Agricultural. *Undoubtedly* the manufacturing department is enhanced and promoted by the exclusion of competition and any agencies affecting such result, whether by duties, monopolies or any other consideration, like two horses in a race one assisted by handicapping the other, and thus exciting doubt as to the fairness and propriety of the race, of course whatever excludes or trammels foreign products may enure to the benefit of the domestic. It may be further admitted that to the extent of any *local* demand, the agricultural department may also be promoted. But *undoubtedly* also, the shipping interest is thereby impaired or prostrated, and also the agricultural to the extent of reciprocity in the *exchanges* of produce, minerals, or other ingredients of such exchanges. As I previously argued, each is prone to favor that system most beneficial to its interests.

## Library of Congress

It was in this contingency that Mr. Webster became such an able and efficient advocate of *free trade*, representing a region so interested in the shipping department, Mr. Calhoun, the more mindful of the manufacturing and agricultural ascendancy.

Now I have visited Mr. Blaine's locality in Maine, and Mr. Calhoun's in South Carolina, and if a full exchange of localities and interests could be effected, I would charge a heavy premium for insurance against a corresponding change in sentiments and arguments. I am here reminded of an occurrence at the bar of an able advocate, in some way mistaking the proper current of argument for his client, and making a very strong one against him. When reminded of his error or forgetfulness, he simply remarked, "This, gentlemen of the jury, is what my opponents will tell you, and it is easy to satisfy you of its entire fallacy," and then continued to make an equally able argument in the interest of his client. I thus desire only to exhibit the proneness of each advocate to favor the interest of his particular section and secure mutual toleration, forbearance and liberality, in mutual concession. This has been the current and distinction of my whole effort and argument to harmonize and conciliate that neither could desire a monopoly of the whole benefits. If all were seeing and smelling where is the hearing, and neither one is prepared to appreciate the peculiar proclivities of the other, without some corresponding opportunities such as you supposed me to possess, and thus I have desired to comply, irrespective of any present candidates for high office, it being so difficult to find any one person suiting the different climes and interests of a diversified and extended country, with such a ramification and diversity of interests. If I were *required* apart from my personal or political prepossessions to present an *illustration* of the golden 62 medium or the "*in medio tutissimus ibis*," the Hon. Samuel J. Randall occurs to me as the most satisfactory combination of the different elements with enough Tariff ingredient to at least mollify any extreme exactions of the Tariff advocates, and not enough to excite the opposition of those who by such opposition might glide into a vortex more hostile and injurious to their cherished predictions and interests.

## Library of Congress

This is only accordant with my previously proposed design to harmonize all conflicting elements of sectional exasperation, to cicatrize all sectional wounds and asperities of language and feeling, and would be glad to give Mr. Blaine a power of attorney to represent me to the effect that if by any construction or supposition he can find in anything I have written, any manifestations properly represented by such terms as "insolent," "insolence," "aspersion," "abhorrent," "ludicrous," "*fas aut nefas*," he will at once *expunge* them, not as in the vindictive, acrimonious ebullitions as in the times of General Jackson and Mr. Benton, but in the interests of "peace on earth and good will to men."

The intelligent reader will readily comprehend the circumstances under which the foregoing has been prepared, that in the inception little more was contemplated than compliance with request for some life incidents and whatever might interest the readers of a literary journal requiring no regular system or continuity in the different presentations, and thus no special connections with the different subjects discussed precluding any definite index or order. This may be some relief compared with the elaboration of the same continued topics. There was certainly no desire or design for any criticism or special reference to any of Mr. Blaine's productions, which can only result from the occupancy of the same ground and the views from different standpoints, essential to full development of incidental prospects.

No one can properly wish to stir up occurrences of the past connected with any painful reflections or to open wounds so long cicatrized or even in process of healing, unless promotive of such permanence and recovery or obliteration, which can only result from placing them in true and proper position, precluding any necessity for further explanations or additions. All brave warriors in termination of well-fought battles should incline to full justice towards honorable adversaries. 63 I may almost say it is my exclusive purpose in my peculiar relations North and South to exemplify all ingredients for the most harmonious prepossession the circumstances allow, especially when the former incentives have been so far removed. The former lacerations. and exacerbations from discussions of Slavery,

## Library of Congress

State Rights, etc., can now find little material for controversy or invective. Whether right or wrong, the decision of battle has silenced all angry contentions. Then the subject of the Tariff and incidental connections has lost its bitterness or significance in the ability and determination of many to secure the benefits which were designed as injuries or at least so anticipated. I have referred to the history and consequences of change of sentiments and arguments, from change of interests, personal and political, each influenced by individual or sectional considerations. There is no doubt that much of the destruction and deterioration of the South can be repaired by increased attention to manufacturing and mining facilities, enabling the securement of advantages more favorable to other sections when inaugurated. Indeed more improbable occurrences have transpired than the exportation of manufactured articles from the South to the North or to foreign localities, now perhaps exporting to other climes. The greater facilities have been previously adverted to and no good reason can be advanced against such contingency. Then comes the reparation somewhat with a vengeance, or the best retaliation possible, peace having her victories as well as war. One of the chief objections to separation from the South was that it possessed the most important raw material for the maintenance and prosperity of Northern factories, though double transportation might result.

### WHAT ARE THE OBSTACLES TO HARMONIOUS CO-OPERATION?

Then if the embitterments of Slavery, State Rights, and the Tariff have been at least softened if not sweetened, where is the obstacle to general harmonious co-operation in all the essentials of industrial and national prosperity? The South may have to bear at least the appearance of signal defeat in the late warlike demonstrations, but no observant, considerate and liberal antagonist can exult and taunt at a defeat against such odds, which could never have been so long and so successfully resisted except by feats of valor, exciting the admiration of the world, and in all my intercourse with the North I have no recollection of any attempted humiliation or vapid boasting over any such success; nor is there any disposition to detract from the merited and valorous achievements of the whole nation, indicating the impregnable security when combined against the machinations



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of the whole world, not likely to be exhibited. Nor, in a change of positions, the North appreciating the condition of the South with such just and reasonable apprehensions of attack on vested and constitutional rights, can any one contemplate the resistance such apprehension so well justified. It was thus that I regarded the attack on General Lee's action so ill-judged, ill-timed and unjust. Admitting all surmises there is little to excite animadversion if under such apprehensions of disaster to his native region he had even as others might regard have schemed to hurl Virginia into secession, really from such apprehended disaster and violation of constitutional rights. It is at least right and proper that the records should be faithfully exhibited and regarded.

I do not refer to my position as lawyer, code maker, etc., in any vanity or presumption, but the reverse in expressing legal opinions. I thus ought at least to have some familiarity with pleadings, pleas, and special pleas and pleadings, having so referred to Mr. Blaine's special Tariff pleadings, I admit to be specially able and ingenious for his side, being but one of three, and to make good his case he must show that one is more important to the common country than the other two. Sufficiently elaborated previously. Now it is a principle in mechanics that three forces can be so applied as to keep a body still or to propel it in a direction different from either. Now I am really very much inclined thus to the employment of all three forces in securing the proper direction liberal to all. It was thus that without the opportunity of measuring or weighing special sentiments I inclined to Mr. Randall as an illustrious *illustration*, and not in conflict with any particular person or party—some concession reasonable for all—thus disposing of the special Tariff pleadings.

But while I thus make some modest pretensions, etc., the pleadings illustrated and enforced, there is another description of pleadings in which I proudly confess my deficiency, and being somewhat new in the absence of other nomenclature, I will denominate mispleadings of 65 the same genus as misjoinders. These occur in the declarations and conclusions as to Gen. Lee, previously referred to, viz.: that the proclamation of President Lincoln for 75,000 men to subdue the South, or at least to enforce his mandates and theories, was made on the 15th of April, 1861. That the

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ordinance of secession was passed by the Virginia Legislature on the 17th. That Mr. Lincoln's proclamation commanding obedience, etc., perhaps more offensive to gallant independent freemen at the time at least, was on the 19th. That General Lee's letter of resignation, dated at his then peaceful fireside, much nearer to Washington than Richmond, was dated, on the 20th of same month, therefore General Lee gave "the influence of his eminent name to the schemes of those who by every, agency *fas aut nefas* were determined to hurl Virginia into secession." Now if this is not a misleading or misjoinder or nonjoinder it is certainly under the Virginia code a *non sequitur*. Who does not see who and what hurled Virginia into secession? Now I do really think that in Mr. Blaine's reciprocity of candor and compliment of his arguments he should acknowledge himself non-plussed and non-suited, in at least that declaration as exhibited against Gen. Lee. There is also another axiom or maxim, "*ex uno disce omnia*" or "from one learn all." Now understand, I am called to the stand somewhat as a judge from my own testimony, North and South, and from personal observation and experience, and the only witness as to all the observations and occurrences within the specified "war time," North and South, the inclination of my proclivities I confess being the best for each side, and I have already sufficiently adverted to some of the most important incidents as to both or all, the greatest acrimony arising from the treatment of prisoners. I have stated what I saw as to Generals McCall and Reynolds in a very large room with two beds and but two occupants, and also referred to Mr. Biddle and Libby prison. I did not go into Libby prison unless in the lower floor, not occupied by prisoners, or not fully so. I have, however, a distinct recollection of the cheerful looking faces in the upper windows, removed in warm weather; viewing the surrounding prospects perhaps with more satisfaction and composure than glittering hostile artillery. The prisoners were sent to Andersonville, not only for greater security, but to be in a more plentiful section, remote from transportation, and where the internal demand could be supplied without such transportation. The South at least claimed more liberality and anxiety for exchange of prisoners in order to get rid of feeding them, perhaps more formidable in such destruction of supplies than from their weapons in the field, the South then dreading such scarcity more than the abundance of hostile soldiers,

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the number of prisoners taken by the South much greater in proportion to the numbers than Southern prisoners taken by the North, so let these accounts be amicably balanced.

### SOUTHERN PRISONERS.

I have already stated the great liberality of the North in allowing the greatest opportunity in assistance to the Southern prisoners. The Rev. Dr. Junkin, who had experienced much kindness in the South, humanely devoted his personal services in such amelioration and reciprocity, though devoted to the Northern cause, and the North much more abundant in necessary supplies, and their prisoners at the South no doubt experiencing great hardships, but not more than some of the Confederate soldiers, and those in my knowledge reduced to broomcorn, and some not so fortunate. These wounds having been somewhat opened they are only probed for more healthy permanent recuperation and obliteration.

But I am here guilty in the degree of “non sequitur” applied to Mr. Blaine, for I really had designed to follow up the misjoinder or nonjoinder as to General Lee by reference to others in similar denunciation and comparative injustice. As before stated these only living representatives of a particular category, as stated by Mr. Blaine, Hons. Jefferson Davis, Robert Toombs and R. M. T. Hunter would disdain any excuse or accusation for uniting with their friends and constituents in the course they pursued and required of their representatives. But in any accusation of scheming haste, *per fas aut nefas*, it may be proper to state that all their declarations were boldly proclaimed in the Senate of the United States and also their anxiety and solicitude to remain in the Union with proper guarantees, some time after the withdrawal of South Carolina. Their speeches are amongst the Congressional debates, accessible to all. Mr. Blaine has already given as favorable report of Mr. Davis as could be reasonably expected from his standpoint, a part already quoted, repeating from Mr. Davis: “In his farewell words to the Senate there was a tone of moderation and 67 dignity not unmixed with regretful and tender emotions. There

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was also apparent a spirit of confidence and defiance. He evidently had full faith that he was going forth to victory and to power.”

### WHAT THE SOUTH ASKED.

And still, when with reason to regard himself in that full power to resist all infraction and invasion, what was his language: “We feel that our cause is just and holy, and protest solemnly, in the face of mankind, that we desire peace at *any* sacrifice save that of honor and independence. We seek no conquest, no aggrandizement, no concessions from the Free States. All we ask is to be let alone—that none shall attempt our subjugation by arms. This we will and must resist to the direst extremity. The moment this pretension is abandoned the sword will drop from our hands and we shall be ready to enter into treaties of amity and commerce mutually beneficial. So long as this pretension is maintained, with firm reliance on that Divine Power which covers with its protection the just cause, we will continue to struggle for our inherent right to freedom, independence and self government.” This does not indicate any threat or desire for power over others, or for more than what he regarded proper maintenance of his own position and principles.

He may have been mistaken, but those so regarding him must appreciate if not applaud his conscientious convictions and his courage, and his determination to at least attempt their maintenance. I happen to know that in the zenith of confident expectation, near the middle of the war, and when, as Mr. Blaine stated, “he evidently had full confidence that he was going forth to victory and to power,” he indulged just the same sentiments and expressions as previously copied, the journals to Congress affording other speeches or extracts confirmatory of all that has been presented. These occurrences being matters of Congressional record might be spun out indefinitely, but for results and contingencies not likely again to occur, and your application I repeat extending to simple narration of events without individual opinion or prepossessions. I confess my own aspiration was for “peace on earth and good will to man,” or more especially to *woman*. A man must be callous to every impulse of honorable and elevated sensibility not to commend the heroism and

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devotion of those gallant men in defence of conscientious convictions, even regarded as mistaken.

General Robert Toombs is one of the other remaining heroes of brave and fearless devotion to those same conscientious convictions of the preservation of life, liberty, and property regarded in the Declaration of Independence as the natural rights of freedom.

ROBERT TOOMBS.

I recollect to have travelled through Georgia when Mr. Toombs was in his youthful ardor and aspiration, and have recollection of the name of the individual so successfully and eloquently defended in Columbus, Georgia, somewhat remote from his usual professional avenue, and when he and young Alexander H. Stephens were regarded the rising constellations in the professional and political firmament, their personal intimacy continuing as “*par nobile fratrum*” to the termination of Mr. Stephens's earthly existence, and consecrated at his funeral. Mr. Toombs's farewell address on his taking leave of the U. S. Senate was regarded as a rare specimen of bold, defiant eloquence and animated convictions of the right and duty as he comprehended. It must be something rare, indeed, to excite outbursts of applause in such assemblages, this occurring after the secession of South Carolina, materially embarrassing the position and locality of Georgia. The whole of the speech might be properly embraced if vindication were necessary, and perhaps embraced in some subsequent presentations, one extract stating: “Senators, my countrymen have demanded no new government, they have demanded no new constitution. Look to their records at home and here, from the beginning of this strife to its consummation in the disruption of the Union, and they have not demanded a single thing except that you shall abide by the Constitution of the United States, that constitutional rights shall be respected, and that justice shall be done; and since they have stood by your constitution they have stood by all its requirements; they have performed all its duties unselfishly, uncalculatingly, disinterestedly, until a party sprang up in this country which endangered their social system—a party which they arraign and which they charge before

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the American people and all mankind with having made proclamation of outlawry against thousands of millions of their property in the territories of the United 69 States; with having aided and abetted insurrections from within and invasion from without with the view of subverting their institutions and desolating their homes and firesides. . . . Senators, I have little care to dispute remedies with you unless you propose to redress my wrongs. If you propose that in good faith I will listen in respectful deference. But when the objectors to my remedies propose no adequate ones of their own, I know what they mean by the objection. They mean submission. But still I will as yet argue it with them. . . . Well, what can we do? We cannot revolutionize. He will say that is treason. What can we do? Submit? They say they are the strongest, and they will hang us. Very well; I suppose we are to be thankful for that boon. We will take that risk. We will stand by the right. We will take the constitution. We will defend it by the sword with the halter around our necks. . . . We have appealed time and time again for those constitutional rights. You have refused them. We appeal again. Restore those rights as we had them, as your courts adjudge them to be just, as our people have said they are. Redress the flagrant wrongs, seen of all men, and it will restore fraternity and peace and unity to us all. Refuse them, and what then? We shall then ask you, 'Let us depart in peace.' Refuse that and you present us war. We accept it, and inscribing upon our banners the glorious words Liberty and Equality, we will trust to the blood of the brave and the God of battles for security and tranquillity."

What British potentate, denouncing Patrick Henry as a rebel against what he might have regarded "the best government in the world," who did not admire and applaud the thrilling eloquence of his impassioned presentations of wrongs whether real or fancied? Who with soul so dead as not to here recognize elevated resemblance? and who can add to the force of such appeal? There is no recorded set speech of Mr. Hunter on the occasion. He was doubtless in full harmony, and satisfied with silent corroboration and concurrence in the conviction that sufficient had been said.

## Library of Congress

I am impressed that he was the youngest man who ever occupied the Speaker's chair in the National House of Representatives.

ROBERT M. T. HUNTER.

It is said to be lawful to learn from an enemy or opponent. Mr. Blaine states: "Mr. Robert M. T. Hunter, of Virginia, was at the time 70 chairman of the Senate Committee of Finance. He was a man of sturdy common sense, slow in his methods, but strong and honest in his processes of reasoning. He advanced rapidly in public esteem, and in 1839, at thirty years of age, was chosen Speaker of the House of Representatives. . . . At the outset of his public career he became associated with Calhoun, and early imbibed the doctrines of that illustrious Senator, who seldom failed to fascinate the young men who fell within the sphere of his personal influence. Mr. Hunter was no doubt entirely honest in this course. He was upright in all his personal and political relations, but he could not forget that he was born a Southern man and a slaveholder. He had a full measure of that pride in his State so deeply cherished by Virginians." Now these men may have been mistaken; but the idea of any upstart bellowing out "Rebel," "Traitor," or such opprobrious epithets is too ridiculous for contemplation, and if such intimations are embodied in the history of the country and the times, it is right and just that their own declarations and constructions should go out with them. I may here incorporate an extract I find in a paper devoted to Mr. Blaine, which has been taken in my family much longer than Mr. Blaine's "Twenty Years in Congress," and though in political antagonism, must have some magic excellence to sustain such endurance, in such vicissitudes and contrarieties. I do not know the politics of the paper from which the extract was copied:

DAVIS, TOOMBS, AND HUNTER—POLITICAL REMINISCENCES WHICH SEEM  
DESIGNED TO HAVE NO MORAL.

"In the year 1860, Jefferson Davis, of Mississippi, Robert Toombs, of Georgia, and R. M. T. Hunter, of Virginia, were members of the United States Senate, and not only its



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three most influential members, but eminent Southern leaders. Each represented a State which claimed and exercised a weighty influence in the national council, and as they belonged to the then dominant party and were champions of the theories that rested on slavery they possessed an authority which, in the present changed condition of things, it is difficult to comprehend. The political sky wore a troubled look in the spring of 1860. The John Brown raid at Harper's Ferry had recently taken place, showing what daring and desperate measures abolitionism was capable of. Kansas, after a fierce struggle, had been lost to the South; the growing 71 Republican party was preparing for the Chicago Convention that nominated Abraham Lincoln; there were grave divisions in the Democratic party that had ruled the country for nearly fifty years, and to complicate things there was a strong native American element in the Southern States which refused to ally itself with the Southern Democracy in defense of the extreme position which the latter claimed was necessary for the maintenance of Southern institutions and interests. Congress was still in session, and it was observed that Davis, Toombs and Hunter were frequently sitting together in the Senate, as if in consultation. These consultations usually took place at the desk of the Senator from Mississippi, and the fact was remarked then as proof of the clearer perspicacity, stronger will and superior ability of the man who was destined afterwards to become chief of the then only dreamed of Southern Confederacy. These three men are still living. It is strange that it should be so, but there are many strange things connected with the tremendous drama in which they played so conspicuous a part. Their experimental confederacy was born, lived and perished so long ago that the youth of to-day know nothing of it except what they read of in books. The South has passed through the blood and agony of a conflict which left the flower of its population beneath the sod, and scarred its mountains, valleys, and forests with the tracks of plowing missiles. Abolitionism had its way, slavery was overthrown, and ruin ran riot over the Southern land till there was little left to destroy. Yet the three Senators of 1860, from Mississippi, Georgia, and Virginia, have survived all the havoc, and are still above the turf beneath which all their prominent contemporaries lie buried. Their old abolition enemies are gone. Garrison, Greeley, Chase, and Giddings passed away long ago. Even Wendell Phillips is



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dead. Lincoln, the first Republican President, has been in his bloody tomb these nineteen years. The great Douglas sleeps in Illinois soil, and trees twenty-two years old grow over his grave. His Presidential competitors in the memorable campaign of 1860—Breckenridge and John Bell—are asleep, too, each in the soil of his native State. All the members of the first Republican Cabinet are gone but one—Simon Cameron—and Simon Cameron was a comparatively obscure man in the Spring of 1860.

“The Mississippi Senator of 1860 is now seventy-six years old; the Georgia Senator is seventy-four; the Virginia Senator is seventy-five. 72 They are not very old men, yet there are not three other living men in the world who were actors in a great historical drama who have served as pall-bearers to such a procession or eminent fellow-players.”— *St. Louis Republican*.

From their respective ages it will soon make little difference what have been the disunions and successes of each. Each seems in dignified retirement, though there is not an office in the gift of their States that would not court their acceptance if desirable to them and suitable to their elevation.

I rejoice to notice that Mr. Toombs has become a *Union* man in the highest acceptation and acceptability of the term, with the Methodist Episcopal Church, the church of my father and my mother, which has “landed many thousands and can land as many more” from these low grounds of bickering and contention about the comparative temporary trifles and baubles of this world, at best perishing in the using, to those celestial plains where “the wicked cease from troubling and the weary soul is forever at rest.”

“Servant of God, well done; Rest from thy loved employ; The battle fought, the victory won, Enter thy Master's joy.

“The pains of death are past, Labor and sorrow cease, And life's long warfare closed at last, His soul is found in peace.

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"Soldier of Christ, well done, Praise be thy new employ, And while eternal ages run Rest in thy Saviour's joy."

As I am writing not only "currente calamo," but *animo*, or whatever comes in my mind, it does thus come over me to refer most respectfully and tenderly to an incident I find in point from "The Civil War in America," by John W. Draper, M. D., LL. D. Vol., II, page 38, somewhat astounding and for solemn consideration:

"As is not unfrequently observed of Western men, there were mysterious traits of superstition in his character. Referring to Mr. Lincoln, a friend once inquired the deep depression under which he seemed to be suffering. "I have seen this evening again," he replied, 73 "what I once saw before on the evening of my nomination at Chicago. As I stood before a mirror there were two images of myself, a bright one in front, and one that was very pallid standing behind. It completely unnerved me. The bright one I know is my past; the pale one my coming life," and feeling that there is no armor against destiny, he added: "I do not think I shall live to see the end of my term. I try to shake off the vision, but it still keeps haunting me."

How different from the apparition of wrestling Jacob:

Come, O Thou traveller unknown, Whom still I hold but cannot see, My company has gone before, And I am left alone with Thee; But who, I ask Thee, who art Thou? Tell me Thy name, and tell me now.

In vain Thou strugglest to get free, I never will unloose my hold; Art thou the man who died for me? The secret of Thy love untold; Wrestling, I will not let Thee go, Til I Thy name, Thy nature know.

With Thee all night I mean to stay, And wrestle till the break of day.

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I repeat, I make this reference with tenderness and sympathy, and for the most sacred benefit, as showing the vanity of all sublunary attainments, when even a nomination for the highest and most honorable position in the gift of amongst the highest kingdoms or municipalities of the earth is encumbered and depressed by such depressing admonitions, who covets the prize with such alarming appendages? Well did Mr. Jefferson describe the Presidency as "the abode of shabby splendor and splendid misery." And how should such reflections and concomitants cast oil on the troubled waters and healing balm on the lacerating wounds of party acerbities and invectives. Well may we feel and apostrophise:

Far more true peace the great Marcellus feels Than Cæsar with a Senate at his heels.

But as I started out only in a frail bark, feebly manned, with no rod, or compass or chart beyond a few pages of Progress, I have 74 been drifting with corresponding uncertainty, subject to the winds and waves that may happen to beat upon me, and thus by an ungovernable cyclone, or really *three* of them, beaten out of my appropriate channel by a desire to present full justice to three distinguished individuals so prominently exhibited by Mr. Blaine. These three forces different from those in mechanics previously alluded to, neither keeping a body still nor propelling in a direction different from either, came upon me in one strong united current, all in the same direction, commanding the admiration of the elevated and the respect of all appreciative of fearless and independent views and feelings, though in a direction certainly different from their own.

### THE REMINISCENCES BEGUN PRIOR TO THE NOMINATION OF MR. BLAINE.

Nothing less prominent could have so veered me out of my more usual avocations and employments among pleas, pleadings, joinders, rejoinders, misjoinders, *mis* - pleadings, *non sequitur*, etc. After getting through at least the mispleadings, *non sequitur*, etc., as applied to General Lee, my mind very naturally inclined to others in similarly animadversion and criticism. If I have not succeeded in any vindication (not cared for by them) before an impartial tribunal of the world, or if I have not succeeded in nay

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only design to present the viewing from a different standpoint, it must be attributable to the imperfections of their own expositions I attempted to present faithfully from the records, or because of obtuseness or incorrigibility of the human mind in rejecting all not in consonance with their own preconceived predilections and determined dogmatism. But, as I stated, most of these things are of the dead past, not worthy of revision or explanation except that the future reader of past history may find the views and feelings of all accused and accusing before the tribunal of the civilized world. My cry then is not "Watchman, what of the *night*?" but "what of the *future*?" I really do not see much otherwise of *practical* importance. In reverting to Mr. Blaine's political manifestations I fear unjust imputation of intention to interfere in the slightest degree with his present aspirations, these ebullitions having been commenced prior to his nomination or letter of acceptance and promulgation of political sentiments. These topics affect the whole country and every party organization, 75 and should be discussed with corresponding gravity and concern. The tariff, as such, should scarcely be a party measure, some being indispensable. The question is how far in raising even the necessary revenue of the government there should be discriminations favorable to one to the detriment of the other. I have accorded to Mr. Blaine the highest ability and ingenuity in advocacy of his *one* side. There may be two weaker sides, but in combination of both a preponderating momentum may be secured. He has certainly thrown out one strong card and very hard to beat. I have not thrown a card or played at any game, certainly not since that "30th of August, 1838," but I retain some recollection or subsequent information of the expression, "See you and some better." This may not be in either one, but by combination of both, and thus a fair game of two separately weaker ones against *one* alone stronger than either. Enlarged statemanship, especially for the Presidency, should command the united consideration of every department.

Now I suppose we must admit Mr. Blaine's conclusions in the premises occupied by him. And still all that glitters is not always gold. I do not read that even all the tariff communities are exempt from mercantile or manufacturing failures. But we may very well assume

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that in the legislation imposing high duties on competing fabrics of other countries may beneficially favor those particular internal operations and communities.

I do not presume to speak knowingly, my associations and investigations having been different. Nor am I specially versed or able to enlighten others on the shipping problem. When I am sensible of my ignorance on any subject like the present I generally go, as all should, to the proper fountain of enlightened judgment and experience.

### SHIPPING.

Now I happened to have special and friendly access to just this facility. My inquiry was: "Is the shipping interest really in a languishing condition?" Now Mr. Blaine or others might require several columns to reply to this simple but important inquiry, and still not as satisfactory and intelligible as *one single word* from one with clear 76 vision of the whole land and water also, which one word was "*Bankrupt.*" I really understand that the foreign ships for want of other occupation are really doing the American shipping on better terms than the American ships can afford, or they either, if they had anything else to do. If I felt particularly interested I should exclaim, Oh, for the magnificent abilities and thundering intonations of Daniel Webster, when free speech so advocated free trade. But the terms free trade are speculative and comparative. No one under proper explanation means just that. The government must be supported liberally and with full margin. And as to Mr. Clay's idea and advocacy as previously explained in my own hearing as to the helping hand to the infant manufactures of our own country, I am reminded of Mr. Lincoln's illustration in a most important emergency, of the temperance lecturer, worn and wearied by exhausting temperance lectures, and recuperation by adding a little stimulus was suggested, replied: "If they could put in a little *unbeknownst* to me I don't know that it would hurt me." At all events in that propulsion of a body by the three forces in a direction different from either a just and sensible compromise might be reasonably accomplished, and a little protection put in *unbeknownst*. Now, while I might not claim a full and equal score on behalf of the shipping interest I certainly can reasonably claim *some*. But I now have a reserve fire,

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and here the battle is to range more furiously in final termination of the controversy, viz., shipping *and* agriculture, neither perhaps as important, and certainly not as prosperous, as the other one. But how of the combination, especially when a President must survey the *whole* ground. Now I may claim some personal advantage, referred to by the editor of Progress, in my personal observation and experience, having referred to the opportunity of visitation to the localities of both Mr. Blaine and Calhoun, and never enjoyed by him. I now refer to the agricultural remote from manufacturing enterprises. Now I can testify that I have seen Mr. Blaine in approximate vicinity when at Yorktown to erect a monument amidst the abomination of desolation. He was transported and landed where the fleets of the world could safely navigate in twenty or thirty feet of sailing water, but where, with some relics of former grandeur and magnificence, only a beggarly account of empty or dilapidated houses met his vision, and fortunately for *his argument his progress* did not extend into the interior, to look 77 in vain for those exhibitions of agricultural success only to be found in the imaginations of absent devotees to other objects.

I did not then have the opportunity of informing and enforcing that Carter's Grove was in that vicinity; though on the fertile banks of James River, and thus with exceptional advantages. I hope he will favor me with another opportunity of serving an attachment returnable at Carter's Grove, built entirely from English materials, as stated in the map referred to,—I hope to annex,—I can take him a little further, whence I, however, cannot indulge and appropriate the consolation of the individual, a visitor referring to the large landed possession within his vision, and supposed to be in his ownership. His reply was, “I am not as poor as you think I am; I don't own these lands.” Somewhat from a dry season there is one evidence of *accumulation*, if resulting from taking in more than goes out—what they take in by purchase more than goes out for sale. In sight I can show him Jamestown, the first landing of the Pilgrims in America, and once the populous capital of the country.

BRISCOE G. BALDWIN.

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It is said, in some of the Congressional debates, some orator, Mr. Clay, I believe, counted his five propositions on his five fingers, some one facetiously remarking his propositions would have been enlarged if he had more fingers. It is interesting to read the interesting account of some hundredth anniversary, and the gay collection of four hundred ladies in one body, and the animating scenes embellished by the Professors and magnates of the Williamsburg College in the immediate vicinity, and when amidst the talent and experience of renowned orators the *Youthful Orator*, Briscoe G. Baldwin, then a *student* at William and Mary's College, exhibiting such promise of future eminence as thus to merit such selection, sustained by future realization. He was long a Judge of the Supreme Court of Virginia, the father of the talented Jno. B. Baldwin previously referred to, and the father-in-law of the Alex. H. H. Stuart, also referred to, needing no other reference than the records of the State Legislature, Congress and 78 executive departments of the General Government; as was previously stated, the "Ultimus Romanorum" of the brilliant Union Galaxy. But as I started to say of the count on the fingers, I believe all the land-owners can now be counted on the fingers of one hand after cutting off three, and not sure that of the stately mansions formerly adorning the section all the remaining two fingers would be required in the enumeration.

Well, if I do not get on faster I will be subject to the criticism and witticism of the famous John Randolph, applied to the argument of the great Chapman Johnson, "Yesterday, the day before, or the day before that," breaking the chain of argument and increasing the difficulty of replying. But this delineation, first of the shipping and then the agricultural interests, is potent or omnipotent in deciding the great triangular game or controversy referred to. Thousands of pages have been exhausted without exhausting or settling the question, and if a thousand more could even afford feeble contribution, then would they be profitably appropriated. The collision of the brilliant intellects in the past, and differing anticipations of the future, attest and confirm this difficulty.

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Mr. Blaine, in the dazzling and blinding influence of interested position, regards the solution easy. But we must try to secure the decision of a *disinterested* Judge, or one regarding the *whole* country. He might be like the individual who was consulted by the appointing power as to the most suitable occupant for an important appointment. After some reflection he replied that, "Laying aside all personal considerations, and regarding only the good of the country, the devil a bit did he know any fittener man than himself." What a great Presidential turmoil and commotion might thus be adjusted by similar application and reasonable response.

But these three great forces, looming up in increased strength and proportions, seem to evade the decision of any one power. The arbitrament of arms and armies seems inadequate to the desired consummation. Then what is to be done to mollify, if not effectually to quell, this continual and continued agitation? If the South is inadequate to the contest with their own weapons, it may be best to capture from their adversaries, viz., to reasonable and beneficial extent employ the same, or similar, manufacturing. Deprive the North of the Southern market, confine foreign factories to their own internal demand, then may the North adopt the exclamation of the Victorious Commander, "One more such victory and we are undone." Then these important questions should not be considered or decided in any hasty controversial, dictatorial, domineering, self-aggrandizing spirit or exaction. The three forces in Government and Mechanics must be so applied as to propel the body different from either, regarding the rights and interests of the whole.

Now, if all can come together as a hand of brothers, and brotherly justice and forbearance, and thus sweeten the acerbity of this fountain of bitterness, or cupidity, what a brilliant future opens to captivated perspective. At peace with the world, at peace with each other, each claiming no advantages unless from meritorious application and ascendancy, from cultivation of the common gifts of a common inheritance, imagination expires in such prospect.



### INJUSTICE TO THE DEAD.

I have thus, to the best of my ability and disposition to respond to any reasonable solicitation, endeavored to discuss these important subjects from all the different standpoints I have occupied; of course thus in conflict with some and hesitation of others, but in a manner just and fair to all, a satisfactory solution justifying the highest efforts of all patriotic citizens in some spirit of some compromise and concession, and even sacrifice on the altar of national peace and individual harmony, or at least toleration, in accomplishment of the highest objects within the contemplation and consideration of all lovers of justice and elevated propriety. After so many angry discussions and bloody wars perfect success cannot at once be reasonably expected; but even a *little* oil on the troubled waves may at least assuage the curling white caps and hush into silence any boisterous exhibitions, "in charity to all and malice towards none," though of impossibility of escape from criticism and disparagement from the different sections and unworthy prejudices of the unappreciative. Some may complain of my complimentary allusions to my opponents, or in different circumstances and relations, according to Mr. Lincoln, in those relations the appellation of "good heart" not appreciating the auxiliary connection with *sweet* -heart. The elevated will rise above such considerations or merge them in the current of good objects and purposes. Nor have I designed an offensive expression or appellative to any one, with only reasonable comment and defence in any accusation or denunciation of others, with out the full and proper explanation even a criminal would be entitled to. I hope the simple presentation of facts and *dates* in connection with Gen. Lee will induce withdrawal of injustice to the dead, and not reopen wounds or graves which should secure effective winding sheets in which to bury forever all asperity or invective. I have reason to know that my allusions to Mr. Blaine's book have excited in the highest circles a desire for its procurement, and amongst those not likely to be in unison or corroboration with its presentations and conclusions.

## Library of Congress

I hope the efforts of my friends of the Progress to elicit something in which so much interest has been expressed for the gratification of their subscribers, will be rewarded by increase of subscription list and general appreciation of such efforts, though in this particular instance incommensurate with their merits, and also gratify Mr. Blaine by opportunity of doing justice or removing injustice from the memory or acts of the illustrious dead.

I am too far removed from the bickering and strife of professional invective or persecution to desire any materials for its resumption, rarely entering a court house or engaging in any discussions at the bar, unless forced by some defence against infraction of propriety. I was once met on Walnut street by Judge Sharswood with the unexpected remark: "Mr. Booth, I understand you made the boldest speech ever made in Philadelphia. Mr. Sellers says so." Resulting in a withdrawal, it thus comes under consideration. A cavorting attorney for plaintiff with somewhat supercilious confidence and defiance opened with the declaration, "Negotiable notes in the hands of innocent third parties for valuable consideration claim immediate judgment," resuming his seat with an air of confident demand and success, and really enough reason to justify it on such basis no one could contest, the premises being admitted.

Though not apparent on the face, I could only take the ground they were not innocent holders; so far from it, in any court in which I had practiced they would get a bench warrant of arrest on the spot for holding 81 them at all; and turning to the attorney continued, that in such court any attorney practising under masked batteries and poisoned weapons would be lucky if it was not his last battle; thus arguing until that same attorney arose, with change of demeanor at least, with application to withdraw the case, or at least to amend, which was at first refused by associate counsel, but accorded from conviction that from what appeared in the case strict law required judgment for the plaintiff; but the amendment or prosecution never insisted on till other adjustment. Now, if with the materials, dates, etc., with simple appeal to reason and justice, I cannot secure a voluntary

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withdrawal of these charges against General Lee, my conclusion would be, "Ephraim is joined to his idols," and argue the question of joinders, misjoinders, *mis* pleadings, non sequitur, etc., before a more disinterested tribunal, waiving, however, any arrest or loss of license for fighting under masked batteries and poisoned weapons in the blinding infatuation of political prejudices and unjust contortions. Well, I have been trying to stop for some time, and as Mr. Blaine seems to have a double-barrelled artillery, or two volumes, on hand—one not yet discharged—it may be best to reserve some ammunition; forewarned, forearmed; but really hoping for amicable, elevated, honorable magnanimity in acknowledgment of mistake and reparation for its conclusions, and mutually allow drawn game in all of acrimony, mistake, or misconception.

It is, however, really to be hoped that the presentations from different higher standpoints, or familiarity with the situation as to necessities of freedom, the operations of tariff, justice of compromise, and concessions in the different phases of duties, etc., as they may affect manufactures, commerce and agriculture, may conduce to equality, harmony and general prosperity of all.

Having, at least for the present, disposed of the chief subjects of response, or incidents suggested by your application, it may be proper and appropriate to amplify and elucidate some of the topics incidentally referred to, and hastily and imperfectly on account of the limited anticipated dimensions of the limits of presentation. I don't know that, in connection with the great men of the present day, I can more appropriately enlarge previous allusions in a more interesting manner than to revert to that illustrious Virginia Convention hastily referred to, one of the last luminaries expiring only in the last few years.

82

### THE VIRGINIA CONVENTION.

As previously stated, the very last was the Hon. Mark Alexander, perhaps sufficiently referred to in such connection, though worthy of all that can be said in merited exaltation.

## Library of Congress

Though not one of the original members now remain, it is a great consolation that some new editions—I will not say revised and corrected, for that was not necessary—but noble sons and grandsons of noble sires illumine almost every section of the glorious old Commonwealth, and at this very time the Congress of the United States. Mr. Alexander married a daughter of Governor Turner, of North Carolina, and thus distinguished representatives, not only of two illustrious families, but of two corresponding Commonwealths, with descendants and collaterals adorning both States. Hugh Blair Grigsby, next to the last of these expiring lights, was representative of the ancient exalted literature of Williamsburg in the prosperous days of that renowned college. He married a Carrington, leaving a promising representative; and in referring to the Carrington family, I would only repeat all said about the Lees, Pages, Carters, Burwells, Harrisons, Wickhams, Nelsons, Bradfutes, and a host of other worthies. These Carrington descendants embrace a similar galaxy in Watkins, Venables, Cabells, Flournoys, Alexanders, Bruces, Coleman, Edmunds, and I may just say balance of the worthy and elevated. Some have passed over the flood and some are passing still.

Though the descendants and collaterals of these ancient worthies are so intelligent and numerous, I doubt whether all are even aware of such lineage as in personal visit to this convention, and examination of subsequent history, I find from more recent records or investigations, there are many who had passed from my own recollection, and it may be interesting to Virginians at least, to publish the names of those members embracing so many of national importance in two former Presidents, Chief Justice and other celebrities too tedious for enumeration, and thus among the whole catalogue. I must here make some special reference to the clerk of that convention. Continuing as clerk 83 to the Legislature for many years, and thus associate of myself and very many in the State. I refer to George W. Munford, Esq. The earth might be *ransacked* without finding his superior in purity, elevation and excellence, and peculiarly competent for such position or any other of fidelity and trust.

1831

### A LIST OF THE DELEGATES TO THE CONVENTION.

District of Amelia, Chesterfield, Cumberland, Nottoway, Powhatan and Town of Petersburg.—John W. Jones of Chesterfield, Benjamin W. Leigh of Chesterfield, Samuel Taylor of Chesterfield, William B. Giles (Gov.) of Amelia.

District of Brunswick, Dinwiddie, Lunenburg and Mecklenburg.—Wm. H. Brodnax of Dinwiddie, George C. Dromgoole of Brunswick, Mark Alexander of Mecklenburg, Wm. O. Goode of Mecklenburg.

District of City of Williamsburg, Charles City, Elizabeth City, James City, City of Richmond, Henrico, New Kent, Warwick and York.—J. Marshall (C. J. U. S.) of Richmond City, John Tyler of Charles City, Philip N. Nicholas of Richmond City, John B. Clopton of New Kent.

District of Shenandoah and Rockingham.—Peachy Harrison of Rockingham, Jacob Williamson of Rockingham, William Anderson of Shenandoah, Samuel Coffman of Shenandoah.

District of Augusta, Rockbridge and Pendleton.—Briscoe G. Baldwin of Augusta, Chapman Johnson of Augusta, William M'Coy of Pendleton, Samuel M. D. Moore of Rockbridge.

District of Monroe, Bath, Greenbrier, Botetourt, Allegheny, Pocahontas and Nicholas.—Andrew Beirne of Monroe, William Smith of Greenbrier, Fleming B. Miller of Botetourt, John Baxter of Pocahontas.

District of Sussex, Surrey, Southampton, Isle of Wight, Prince George and Greenville.—John Y. Mason of Southampton, James Tregvant of Southampton, Augustine Claiborne of Greenville, John Urquhart of Southampton.

## Library of Congress

District of Charlotte, Halifax and Prince Edward.—John Randolph of Charlotte, William Leigh of Halifax, Richard Logan of Halifax, Richard N. Venable of Prince Edward.

District of Spottsylvania, Louisa, Orange and Madison.—James Madison (Ex-P.) of Orange, Philip P. Barbour of Louisa, David Watson of Louisa, Robert Stanard of Spottsylvania.

District of Loudoun and Fairfax.—James Monroe (Ex-P.) of Loudoun, Charles F. Mercer of Loudoun, William H. Fitzhugh of Fairfax, Richard H. Henderson of Loudoun.

District of Frederick and Jefferson.—John R. Cooke of Frederick, Alfred H. Powell of Frederick, Hierome L. Opie of Jefferson, Thos. Griggs, Jr., of Jefferson.

District of Hampshire, Hardy, Berkeley and Morgan.—William Naylor of Hampshire, William Donaldson of Hampshire, Elisha Boyd of Berkeley, Philip C. Pendleton of Berkeley.

District of Washington, Lee, Scott, Bussell and Tazewell.—John B. George of Tazewell, Andrew M'Millan of Lee, Edward Campbell of Washington, William Byars of Washington.

District of King William, King and Queen, Essex, Caroline and Hanover.—John Roane of King William, William P. Taylor of Caroline, Richard Morris of Hanover, James M. Garret of Essex.

District of Wythe, Montgomery, Grayson and Giles.—Gordon Cloyd of Montgomery, Henley Chapman of Giles, James P. Matthews of Wythe, William Oglasby of Grayson.

District of Kanawha, Mason, Cabell, Randolph, Lewis, Harrison, Wood and Logan.—Edwin S. Duncan of Harrison, John Laidley of Cabell, Lewis Summers of Kanawha, Adam See of Randolph.

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District of Ohio, Tyler, Brooke, Monongalia and Preston.—Philip Doddridge of Brooke, Charles S. Morgan of Monongalia, Alexander Campbell of Brooke, Eugenius M. Wilson of Monongalia.

District of Fauquier and Culpepper.—John S. Barbour of Culpepper John Scott of Fauquier, John Macrae of Fauquier, John W. Green of Culpepper.

85

District of Norfolk, Princess Anne, Nanesmond and Borough of Norfolk.—Littleton W. Tazewell of Norfolk Borough, Joseph Prentis of Nanesmond, Robert B. Taylor of Norfolk Borough, George Loyall of Norfolk Borough.

District of Campbell, Buckingham and Bedford.—William Campbell of Bedford, Samuel Clayton of Campbell, Callohill Mennis of Bedford, James Saunders of Campbell.

District of Franklin, Patrick, Henry and Pittsylvania.—George Townes of Pittsylvania, Benj. W. S. Cabell of Pittsylvania, Joseph Martin of Henry, Archibald Stuart, Jr., of Patrick.

District of Albemarle, Amherst, Nelson, Fluvanna and Goochland.—James Pleasants of Goochland, William F. Gordon of Albemarle, Lucas P. Thompson of Amherst, Thomas Massie, Jr., of Nelson.

District of King George, Westmoreland, Lancaster, Northumberland, Richmond, Stafford and Prince William.—William A. G. Dade of Prince William, Ellyson Currie of Lancaster, John Taliaferro of King George, Fleming Bates of Northumberland.

District of Matthews, Middlesex, Accomack, Northampton and Gloucester.—Thos. R. Joynes of Accomack, Thomas M. Bayley of Accomack, Calvin H. Reid of Northampton, Abel P. Upshur of Northampton.

SOME OTHERS.

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It had been my intention in any event to refer further to others known to me, and particularly to those connected with same or adjacent districts—of those in adjacent districts of Dinwiddie, Mecklenburg, etc. I have already referred, with appendix, particularly to Hon. Mark Alexander and Gen. Wm. H. Brodnax. The other two were General George Dromgoole and Hon. Wm. O. Goode. Both of these talented gentlemen were long in Congress, and perhaps a part of Mr. Blaine's "twenty years," or more likely preceding them; certainly in more peaceful, if not better times. Mr. Goode might 86 have been specially regarded a ladies' man, handsome, polished and of unexceptionable general deportment; twice married and leaving worthy descendants. General Dromgoole never married, and of course, dying unhappily; but represented by most excellent and elevated collaterals. Another member of great purity and moral and intellectual prominence, and as long in the Councils of Virginia, I believe, as Mr. Blaine was in Congress, was the Hon. Benj. W. S. Cabell, of Danville, to whom I had intended to refer, not as a native himself, but there in my own county finding his "better-half," from the elevated circles of native-born citizens and corresponding descendants and collaterals still among my valued friends and Virginia neighbors. He was the father of the present distinguished representative of the Danville District in Congress, and according to General Jackson's reference to Jas M. Mason, inheriting the merit of the father. Long may such representatives adorn the Halls of Congress and other posts of honor.

The name of John S. Barbour appears amongst these honored and honoring members of this ancient and renowned Convention. It revives the most pleasing reminiscences and endearing associations that the same name appears in the catalogue of my own Legislative associates and also on the rolls of the present members of the present Congress of the United States; President of Railroad and Chairman of most important committees in his and my native State. I need scarcely denominate him a worthy son of that same worthy sire enrolled in the pages of that great Convention.



## Library of Congress

I might, perhaps, refer to others, but have to limit myself to bounds suggested by some special association. The names of those honored worthies will suggest others of the present generation following in their illustrious footsteps and distinction. In that same Danville representation occur the names of Townes, Martin and Stuart, one my own esteemed associate; others suggestive of State, United States and Presidential Cabinet preferment, and gallantry, and bravery on the field of battle, and must thus assume some trammels or limits, or make this only a history of the ancient Virginia Convention, with sufficient materials, but not altogether suitable to any present monopoly, and pass to other considerations. Extracts from the speeches of some of these remarkable men will appear in subsequent proceedings.

87

An old lawyer, code-maker, etc., in writing out his reminiscences and experiences, must include some of his speeches, etc. I never made such speeches from writing or special notes except of authorities, or perhaps, points in opponents' argument. There was some warning in the recollection that an attorney once made such written argument, based chiefly on a certain deposition, which happened to be ruled out in the commencement.

He could proceed but a short time before running into the deposition so as to be stopped by the court. This was repeatedly *repeated* till he had to ask the court to let him make his speech, and then credit or subtract all pertaining to the deposition. Another similar instance of a bashful young gentleman who objected to a seat by a young lady, that he had nothing to say to her. His friend endeavored to obviate this by giving him a memorandum of questions, answers, etc., suggesting customary conversation, which he could put in his hat so as to see it without being observed. He made out to propose the first question, but the answer was different from expectation, and he could only examine his memorandum with the remark, "No, madame, you are wrong," with consequent confusion. The nearest I have is an argument in print, exciting the commendation of distinguished members of Congress, Judges, Lawyers, etc., as "strong," "striking,"

## Library of Congress

“powerful,” converting a case “which had excited odium, and opposition, into just appreciation, and advocacy still undecided.”

*To the Senate and House of Representatives of the United States in Congress assembled, and any Committee thereof:*

A former presentation of the case of George Chorpenning, Esq., respectfully exhibited that as early as 1851, when the country was comparatively a wilderness, infested by Indians, robbers, and murderers, he was a mail contractor in California, Utah, &c.; that he was not only thus the pioneer of overland mail communication, but in *person* carried the first United States mail that ever crossed the Sierra Nevada Mountains; that he staked off, on the 22d of May, 1851, the first piece of land and made the first settlement ever made within the limits of the State of Nevada; that he opened, graded, and bridged, at his own expense, the new road south of the Humboldt river, whereby the 88 distance from Salt Lake to Carson Valley was shortened some one hundred and fifty miles; that he built a station every twenty to forty miles along said line, before any white man had ever lived upon it, and thus brought settlers in, improving the lands and converting the barren wilderness into fertile, productive plains—the preparations alone involving an expenditure of near \$300,000, and increasing the population and value of the property and income of the United States beyond any accurate computation.

This retrospect is only now presented as prelude to some claim on the Government for some commensurate pecuniary compensation for actual services; the sacrifices otherwise incurred defying all computation.

The great difficulty of convincing others of these hardships and expenditures caused frequent collisions with the Government in settlements, and the absence of sufficient proof at the time compelled submission in silence to much unintentional and misunderstood injustice, rather than abandon the investments to conduct these onerous and costly operations.

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In a decision made then by Postmaster-General Brown, the principle adopted so ruinous to your petitioner, was repudiated by a subsequent President and United States Attorney-General; but three successive Postmasters-General refused to reopen the settlements on the ground that they were “ *res adjudicata*, ” and not proper subjects for subsequent adjustment, and thus loss and injustice were sustained.

In the settlement, which is the foundation and subject of the present case, it is sincerely believed that inadequate compensation has been awarded, from the difficulty of establishing such claims by adequate legal proof, though also conceding the conscientious convictions of the tribunal thus awarding.

No just and legal claim is waived the circumstances may allow. It is not the purpose at present to urge the payment of more than the principal and interest of the award, fully and justly made on examination of documents, &c., too voluminous for present presentation, one in print, embracing one hundred and fourteen pages, and another in manuscript of forty-four pages, but will only annex the conclusions and award.

89

### EXTRACT.

\* \* \* \* \*

#### Conclusion of the Findings of the Postmaster-General.

Whereupon I, John A. J. Cresswell, Postmaster-General of the United States, do hereby certify, that in performance of the duty enjoined upon me by the joint resolution of Congress, approved July 15th, 1870, I have investigated and adjusted the claims of George Chorpenning, under the first section of an act for his relief, approved March 3d, 1857, on the basis of compensation allowed by said act for the regular service, and the claim growing out of the curtailment and annulment of his contract on route No. 12,801, on the basis of his agreement with the Postmaster-General for the service; and that I do

## Library of Congress

hereby award and determine that there is due and owing to said George Chorpenning, from the United States, for and in full satisfaction and discharge of said claims, the sum of four hundred and forty-three thousand and ten dollars and sixty cents (\$443,010.60).

*As witness* my hand and the seal of the Post-Office Department, this twenty-third day of December, 1870.

[SEAL]

JOHN A. J. CRESSWELL, Postmaster-General.

Post-office Department, *Washington, D. C., June 29 th, 1874.*

I hereby certify that the foregoing is a true copy of the award made by the Postmaster-General on the 23d of December, 1870, and of the preamble thereto, in the matter of the claim of George Chorpenning, as the same appears of record in the Post-Office Department.

*In Witness Whereof*, I have hereto set my hand and caused the seal 90 of the Post-Office Department to be hereto affixed, at the General Post-Office in the city of Washington on this twenty-ninth day of June, in the year of our Lord one thousand eight hundred and seventy-four.

[SEAL]

JOHN A. J. CRESSWELL, *Postmaster-General.*

Though seeming complete and conclusive, I preferred to elicit mere recent conclusions by responses to direct communications, as seen by replies.

Office of the Postmaster-General, *Washington, D. C., Dec. 19 th, 1877.*

## Library of Congress

*Edwin, G. Booth, Esq.,*

My Dear Sir: I have to acknowledge the receipt of your note of the 14th instant, concerning the Chorpenning claim.

My connection with that case was purely official. By joint resolution of Congress both branches of Chorpenning's claim were referred to me, as Postmaster-General, with special directions as to their adjustment. I discharged my duty conscientiously in the settlement of a controversy between the Government of the United States and a citizen, in the manner and upon the terms prescribed by Congress and made a written report, giving my reasons at length for my action on every point. The amount found to be due to the claimant was large, but I sincerely believe it to be only what the law and justice required. Even if the law under which I acted be repealed, I furthermore believe that upon any method of settlement that could rightfully be adopted, no fair tribunal could refuse to make an allowance of a very handsome sum in Chorpenning's favor.

My former relations to the case placed an absolute prohibition upon my acting as counsel, either in the courts or before Congress, in behalf of Chorpenning.

No argument of yours has reached me by mail.

Very respectfully, yours, JOHN A. J. CRESSWELL.

91

Post-Office Department, *Washington, D. C., January 3 d, 1878.*

*Hon. E. G. Booth, 1526 Walnut Street, Philadelphia, Pa.*

Sir: In reply to your communication of December 29th, relative to the Chorpenning case, you are informed that Congress has deprived the Postmaster-General of all discretion

## Library of Congress

in the matter. Nothing whatever can be done with the case until its consideration is authorized by act of Congress.

Very respectfully, D. M. KEY, *Postmaster-General*.

Philadelphia, January 9th, 1878.

*E. G. Booth, Esq.,*

My Dear Sir: Concerning your questions in regard to payment of my claim against the Government, I would state that after the award had been rendered by the Postmaster-General, and early on the morning on the day on which I was informed drafts would be issued by him for payment of the same, a Mr. McGrue called at the room of a United States Senator in Washington and told him, "If the matter could be tied up five or six days there was fifty thousand dollars to be made out of it, and that he, the Senator, could have half of it if he wished," etc., etc. That this led to the offer of a resolution in Congress, referring the matter to the Appropriations Committee, to "examine into the allowance and manner of allowance" by the Postmaster-General. That immediately following this action of the House of Representatives I was approached, and nearly every day for about two weeks, assured that if I would consent to give fifty thousand dollars I could have my money within a week; but not feeling willing to yield, and desiring only a full and fair investigation of my case, I finally refused, *absolutely*, to hear anything further upon the subject. 92 Whereupon the most bitter and unrelenting opposition was started against me, as well as my counsel, and every one who was in any way connected with the subject, and by erroneous and utterly unfounded statements promulgated through the press of the country, an almost irreparable injury has been done, and such a gross injustice perpetrated upon me that every fair-minded man, upon acquainting himself with the work I have done for the country, and all the facts in my case, must blush with shame to know that such things are permitted among a people claiming the very highest development of intellectual and moral culture, which ought to insure a pure administration of justice from the Government.

## Library of Congress

How far there has been criminal action on the part of any one interested in the attempt to blackmail me in this affair, a full development of the facts must determine.

Hoping an investigation of the case may interest as well as enlist you in a desire to see even-handed justice done,

I am, respectfully, yours, GEORGE CHORPENNING.

It is proper here to state that the "United States Senator in Washton," alluded to above by Mr. Chorpenning, was Senator Spencer of Alabama, and that the member who offered "the resolution to Congress" was the Hon. Henry L. Dawes, now Senator from Massachusetts, against both of whom some severe animadversions have been published in the public newspapers and otherwise. But these gentlemen, together with the Mr. McGrue referred to, have give depositions explanatory of their entire connection, and while these representatives may have been too confiding in listening to such presentations, and thus the instruments of the grossest injustice, it must be admitted that in these depositions they have done all in their power to repair it. As 93 these depositions in full will accompany this statement, it is unnecessary here to refer to them more in detail, exhibiting the gross injustice that has been inflicted, and disclaiming all knowledge of any impropriety in the claim or just opposition to its payment. The additional testimony of Hon. John A. J. Cresswell, then the Postmaster-General and proper officer to adjust and protect the Government, will also exhibit his fidelity to his trust, removing all obstacle to payment of the award, unless his own intimation of too much stringency on behalf of the Government in rejecting items, the claimant is confident he could sustain, with sufficient time and means, before any legal tribunal.

I will here ask indulgence of the explanation, that it was with much hesitation and reluctance that I yielded to the solicitation af some personal friends, in confirmation of their previous favorable examination and conclusions to investigate this claim. This hesitation and reluctance originated in newspaper reports and unfavorable impressions of members

## Library of Congress

of Congress, none of whom admitted any special examination into its merits or reliance on anything but general rumor and denunciations, fully explained in the testimony in the case.

Not in vanity, but avoidance of vanity, in expressing legal and other opinions, I will state that I was an old Virginia lawyer, my name in what is regarded by others her best code of laws, as one of its framers, have enjoyed a practice pronounced by the clerk as equal to every lawyer at the bar put together in my county, and with a qualification in the Supreme Court of Pennsylvania and of the United States, I have no hesitation in pronouncing this as the most remarkable, the most misrepresented, and the most misunderstood case ever occurring in my practice or observation.

That a claim, after the most rigid scrutiny by a proper officer of the Government, should be awarded the sum of \$443,010.60; that it should have gone to the proper auditor for payment only; that a scheme should there be concocted to delay or obstruct, for the avowed purpose of blackmail to the amount of \$50,000; that by the too confiding credulity of two members of Congress, the *whole* \$443,010.60 should be thus swept away, leaving on the meritorious claimant impending obligations, this fund was intended to discharge; without the means of living or support of a family, or suitably rewarding counsel, or paying expense of appeal or reinstatement, all exhibit a monstrosity appalling to legislation, courts of justice, and common honesty and integrity. 94 It is impossible now fully to repair such injustice. The best that can now be done is to remand the case to the position it occupied in the proper auditor's office, where this iniquity originated, and fully admitted and established by the testimony, and though it is not usual for the Government to pay interest on obligations in condition to collect, still, in this peculiar case, where damages might be justly allowed, surely the payment of the claim with interest from the time of the award is the least that is now reasonable. Other claims of Mr. Chorpenning have been rejected under the application of *res adjudicata*, surely, even if justice and propriety did not thus cry aloud, this same principle should be applied in his behalf, General Grant, with personal residence and knowledge of the services and sacrifices, having favored this payment, and



## Library of Congress

only thwarted or delayed by practices all honorable men should rebuke, and as more fully explained in the accompanying depositions, fully sustaining every allegation.

EDWIN G. BOOTH, *For George Chorpenning, Esq.*

*Extract from the testimony of J. J. Martin, on examination by Wm. Carpenter:*

Question. Were you at any time Auditor of the Treasury for the Post Office Department?

Answer. I was Sixth Auditor of the Treasury for the Post Office Department.

Q. While you held that office was the Chorpenning claim before you on the report of the Postmaster-General?

A. It was.

Q. Did you at that time examine that claim?

A. I did.

95

Q. Sufficiently to make up your opinion as to whether it should be audited and allowed or not?

A. I did.

Q. What was your opinion?

A. My opinion was that the claim should be allowed.

*Extract from the testimony of Henry L. Dawes:*

## Library of Congress

Question. Do you recollect introducing yourself a resolution requesting the Auditor to suspend further proceedings under the claim?

Answer. I introduced a resolution, if I recollect rightly, which requested the secretary of the Treasury to suspend payment of the claim.

Q. Had you personally any knowledge in regard to the claim?

A. I had never heard of the claim before that morning.

Question by Mr. Chorpenning: Do you know of any fraudulent action on my part?

A. I have no personal knowledge of anything of the kind.

*Extract from deposition of George E. Spencer:*

Question by Mr. Butler: Did you know anything about the claim before?

Answer. No. I had heard that there was such a claim, but I know nothing about the merits of it.

Question by Mr. Carpenter: Did you know any fact or circumstance at that time, or do you know any now, tending to show that the claim, as allowed by the Postmaster-General, was not a proper claim and not been properly allowed under the joint resolution of Congress?

Answer. I never examined the case and do not know anything against it.

These extracts fully confirm that all the allegations as to manner of defeating the action of Congress are fully sustained; that the action of these gentlemen postponing, or at proper time and circumstances defeating the payment, was under misapprehension and misrepresentation, 96 and that the restoration of the case to the position it occupied

## Library of Congress

when the fraud or impropriety occurred, is only a matter of justice and propriety and thus speedily entreated.

E. G. BOOTH.

### RESPONSE TO SOLICITATION BY SOUTHERN FRIENDS.

My controlling impulse in these responses and presentations has been to promote peace on earth and good will to all mankind in time and eternity. This was exhibited in something of an address which had passed out of my mind, but a part of which I find amongst some old manuscripts. The first part not accessible, but enough to indicate the object, and dates very soon after the war and followed by the inauguration of a party chiefly Philadelphians, regarded as one of the most wealthy, important, and brilliant that ever left the city, of course thus embracing a large number of ladies, perhaps the better half of that sex, entering Virginia at the Potomac River and extending through to Bristol, Tennessee; including the Norfolk and Western Railroad. The Philadelphia investments on that region and connections have been more tens of millions than accessible calculations can estimate.

No simple, passing incidental notice will suffice for the assemblage and excursion, and thus, perhaps, reservation for more extended description and comment. This is only preparatory to the sentiments and feelings then indulged and expressed, strengthened and confirmed by the contingences and vicissitudes of time, and since you have started me, I confess some personal interest and desire for the rescue and preservation of these old documents and productions from total annihilation and oblivion from personal considerations.

At this point an examination of the manuscript to which reference is made, discloses that it appears to have been written in response to application of some journal for suggestions as to the particular conduct best suited to the new condition of affairs, and really when Virginia was *District* No. 1. It is a source of interest and, perhaps, information to compare

## Library of Congress

realities with predictions and perhaps for further improvement 97 and illustrations. I find also, such reference to the excursion alluded to, as to supersede much that might have been added, also the occurrence connected with General Meade. Of course in such detached presentations undertaken under impulse of unexpected application, and without opportunity of proper digestion such repetitions must occur, and eliminations apt to so disjoint as to render it more intelligible and desirable to bear such repetition.

\* \* \* In a rapid glance over the contents of your back numbers, my mind halted as the locomotive reversed to take up some interesting traveller by the wayside.

The commencement of the chapter was "The dignity of labor." The conclusion a simple name. Well, it is said a rose is as sweet by any other name. But there is something in a *name*, especially if a name to live, around which clusters endearing associations, the synonyms of purity and virtue.

And if nearing the horizon which conceals from earthly view, how cheering the bright beams of an example to cheer the rising youth of our country in the paths of virtue, of honor and renown. Though the treasures of earth and its cultivation may have been *expressed* ahead as baggage in advance to the "land of pure delight," still the prospective is not marred, and the retrospect converts princes into beggars, and their palaces into poor houses.

But the *theme* looms up and demands its merited consideration. "The dignity of labor!" A lawyer, as the foundation of the discussion might first inquire; "What is labor, and who are laborers?" Are not lawyers, trimming the midnight lamp; physicians, ministering to the afflicted; ministers, dispensing the bread of life; all laborers? "If the whole body were an eye, where were the hearing? If the whole were hearing, where were the smelling?" But the application is to the "cultivation of the earth," the most important, because without it, none of the others could live at all.

## Library of Congress

If bloated and hoarded wealth be susceptible of rebuke, it is when rolling in splendor and idleness, in sight of one of the noble sons of toil, earning his bread by the sweat of his brow, cankered by no in-injustice, oppression or indolence. It is said "the rich labor for an appetite, the poor to satisfy one." Both then are laborers, but who enjoys the "dignity" and relish? The question of momentous consideration is the proper *application* and direction of this labor.

98

The fact cannot and should not be concealed "that old things are done away and all things have become new." The terms, "good old commonwealth," the blazing fireside, hearty and bountiful welcome, the hospitality which made strangers forget they were guests, must now in a measure be revered as an honored but departed ancestry. You have now to prepare for the infant yet unborn, but requiring more delicate treatment, skill and judgment. Though the glory of your old commonwealth may have faded or departed, you can take encouragement that there still is left a No. 1 district; a soil in whose bosom repose the ashes of a Washington, a Marshall, a number of Presidents, and a host of other heroes and worthies; a soil calculated to reward the "dignity of labor" by quickening into life the productions of the most favored regions of the earth.

With a spirit unsubdued and indomitable, apathy, indifference and despair, should all be made to quail before your determined glance. You must regard the fact that the "labor" which "held the plough to till the growing field" has also in a measure departed, and the *dignity* of the substitute perhaps greatly enhanced.

In this respect, your infancy must be acknowledged, and you must become docile and teachable as little children. The structure of your houses, division of your fields; system of cultivation; domestic arrangements; rotation and variety of crops. Indeed, we may adopt the Latin phrase: "*Tempora mutantur et nos mutamus cum illis*," or "The times are changed and we must change with them!" How otherwise can there be any *improvements*? If I possess any advantages for the post you have assigned me, it is from

## Library of Congress

the accident of stand-point commanding a view, and action, overspreading a greater surface, and consequently exhibiting greater varieties and contrarieties. The misfortune of a position thus commanding information of good as well as evil, perhaps, of both sides, is that it is also an exposure to the prejudice and denunciations of both, neither admitting that there is any good on the opposite side. It is said there is no umpirage so just generally as that which dissatisfies both contending parties. Wounds in such a conflict should be regarded as honorable and complimentary. ("Faithful.") I have attained an age, and really occupy the position of addressing some of you, at least, as children, as *dear* children. The dust of others mingles with your soil. On it I first saw the light of heaven, and upon it my disembodied spirit may yet take its everlasting flight and 99 a common soil become a common final resting place. These emotions are only the advance skirmishers of others, too big for utterance. Indeed, propriety at such a time and in such a journal would effectually preclude them. I have no political or military banner on which to unfurl any sentiments inconsistent with ardent aspirations for the prosperity of our whole country.

You may know that on such subjects I have long since "paired off," and in such particulars, might affectionately desire that others were not almost, but altogether such as I am, *not* excepting these bonds.

If in the impulse and ardor of my solicitude, I should encroach on such restrictions, it would be strictly confined to *agricultural* significance. It is impossible, however, to consider your agricultural, without also some correlative incidental political concomitants. Your unsettled condition precluding influx of population and capital to buy your surplus lands, postpones after all the real fountain of your prospective prosperity. How is this to be remedied?

The disease, I confess, is beyond my prescription. As stated, it is not in the province prescribed for myself. I cheerfully yield it to the "powers that be" as a burden too grievous to be borne. If rights or privileges are withheld by a power I cannot control, on *that* let the odium lie.

## Library of Congress

*Something* being thus *concluded*, the direction of this labor assumes paramount and gigantic importance.

It is a subject I had to consider and *practice* amongst the earliest. I happened to be at my old native domicile in April, 1865.

I had, at the time referred to, to choose between giving wages and a part of the crop. In this dilemma I was gratified by the visit of a friend and connection, of high reputation for judgment and success. I remarked to him that wishing my place kept up nicer than common for a city lady occasionally, I should have to adopt the plan of wages. He replied in his usual sensible manner: "I give you my word, that if you don't give them part of the crop, *you* will get none." Not wishing to be singular or conflict with what I supposed would be usual, I readily adopted his views. Communicating them a few days afterwards to a friend of similar qualifications, he was equally earnest in opposition, and preference for wages. I told them it was my judgment that *both* were right; that neither system would do well.

I, however, hobbled through that year with indifferent success. The L. of C. 100 next year I adopted the plan of dividing my farm, placing different sections under the management of industrious white men, who hired hands to *follow* them, and the result was a larger net income than I perhaps had made in 30 years. With less extensive cultivation, the results have since been similarly successful. My own theory being thus established by my practice.

Who was not interested in the statement of your worthy President at the Agricultural meeting in Richmond, in 1866. I believe, concerning the spirit and conduct of his noble sons in time of wheat-seeding. The mother of the Gracchi, when asked for her jewels, exulting pointed to her sons. This, however, might have been from the commendable pride and partiality of a captivated mother from some gaudy appearance. At least, history does

## Library of Congress

not inform us whether either ever made two blades of grass to grow where but one grew before, or that two spires of wheat ever sprang from their sowing.

As you gave me no chart or compass, and as I am. only writing *currente calamo et animo*, in the easy familiarity of the associations to which you referred, I will relate another anecdote of actual occurrence at one of your neighboring court-houses, and often repeated with peculiar zest by a revered old uncle. A gentleman of humble, but respectable position, had a sprightly son who sought his fortune in a distant land, successfully enough at last to return with a fine suit of clothes and corresponding improved appearance; the result and confirmation of the dignity and success of labor.

The occupation of the old gentleman during the entire court-day was in going to his friends with the exulting inquiry:. “Have you seen *Miles*?” The response generally was *no* and never heard of him. You *hain't* seen *Miles*!! Come and let me show him to you. Yonder he is. Well do I remember the inimitable imitation of the old man's strut and exclamation; “I wish I had a hundred such sons as Miles!” And well might our friend referred to adopt a similar aspiration.

Though I have already, perhaps, caused you to regret your rashness in desiring some communication, I have really not rambled on some subjects of practical importance which have arisen before my imagination, from a stand-point and experience not common to many in your midst.

By an exchange of Virginia lands I have come in possession of 101 several Northern farms—bringing the comparison I might say in juxtaposition.

The largest contains but 58 acres. The most profitable, perhaps, but 20 acres. Much is due to locality; but something to management and arrangement, and still more to the “dignity of labor.” The comparison presents many useful hints in the construction of houses, barns, stables, styes, etc.; the sequence of circumstances now imperative in the South. If only on the principle “*fas est ab hoste doceri*” some of these improvements or necessities



## Library of Congress

might be adopted. It might, at least, be the most profitable revenge thus to make an enemy tributary to your advantage. If the ladies (God bless them) have to labor at all, they are the chief beneficiaries of these changes, rendering that dignified that might otherwise be menial.

I have this day been complimented and comforted by the manipulations at a bountiful table, by the *better-half* of an intelligent physician, likely by exchange of lands to transfer the benefit of such experience to a more southern clime, and worthy of brilliant reception. Many are inclined to sell or exchange and go South in pursuit of cheaper lands, and as previously intimated, this presents my brightest hope of future Southern prosperity. They generally have no prejudices against the South, and excite no reason why the South should be prejudiced against them, and chiefly from the Democratic States of New Jersey and Delaware, but not necessarily from any particular locality.

There are misapprehensions of both sides which might be corrected to mutual advantage. The task, however, though an important, might be a thankless undertaking, only supportable by the foundation of good intentions.

Time and opportunity form the best correctives. One memorable illustration rises in the retrospect. It was, I believe, in May, 1867, that a brilliant party of ladies and gentlemen left Philadelphia by invitation of the railroad authorities of Virginia on an excursion through their State. It so happened that a majority of those for whom and for whose investments the compliment was designed voted with the Republican party, but from very different impulses from those supposed to actuate them.

They were met at the State line by special cars, freighted with choicest viands, and beverages from ice-water to champagne and French brandy, *inclusive*; carried through the State under magnificent hospitality and returned, refusing a single cent for any accommodations. The poor reaped the whole pecuniary harvest, others, that beyond money, or price and reciprocal appreciation. This peerless jury will ever sustain that

## Library of Congress

*gentlemen* acting as such will be received and treated as gentlemen, certainly throughout that locality.

But I must return more *visibly* to the “dignity of labor” and perhaps, my friend, you might not find it out if I did not tell you; I have not intended to diverge a hair's breadth from its direct line; in some of its ramifications we must amplify the definition of labor and embrace all the antipodes of loafing and idleness. I have heard repeated the exclamation of the distinguished John Sergeant amid the toils of professional labor: “Oh! for a *week of Sundays!*” (days of rest). Was he not a laborer, learned, brilliant and dignified?

In my delineations of improvements, I believe, I commenced the foundations of a house, without rearing the superstructure. As its foundations were on a rock, I knew it would *stand*. With particular preparations, dignified labor comes unsought and unnoticed. Conveniences of wood, water, etc., invite and embellish labor in seeking one's own supplies, closing doors, etc., without the labor of calling a servant. Where food is prepared in a lower room and raised by a dumb waiter in close proximity to the table above, how often have I seen the *utile* added to the *dulce* by fingers which could draw checks by the hundred thousand dollars and make all good. while some, perhaps, more squeamish, might prefer to protest, or be protested. The example must be set by the dignified to insure its dignity. But, I must confess to some weakness in these ebullitions. But whether of weakness or folly, you must bear with them as emanations from the fountain of genuine affection and solicitude, Nothing is more excusable than the garrulity of an old man, or those who like ourselves have been young a long time, and expect to continue so; entitled to the prerogatives of juvenility and senility. The word farewell struggles in vain for expression amid the torrents of your afflictions. The skillful physician never makes light of real disease, and is never too confident of the efficacy of nostrums or even genuine panaceas. The caution in suggestion is evidence of more reliable meditations.

## Library of Congress

I well recollect the burning words of one of your most honored and honoring sons in the House of Delegates, in 1849, who has since 103 honored the highest judicial office in your gift, and now like noble, dignified Cincinnatus, returned to the plough (law).

It was on the occasion of the stampede from Richmond on the advent of the cholera. The speaker needs no description or eulogium. The text is sufficient. "The path of duty is the path of safety. *Trust in God.*"

Adopt the ancient adage; ask of the Government equal laws, and of Heaven rain and sunshine. Your own right arms must give you the victory. And if you fail in the first effort at success, strike higher! *Deserve it!*

"Home, sweet home, There is no place like home!"

SHENSTONE.

### **PROCEEDINGS IN MEMORIAM OF JUDGE R. C. L. MONCURE AND JUDGE ROBT. OULD.**

#### **PREFACE.**

The lives and deaths of persons who have been eminent in the different spheres in which they have been prominent actors are worthy of the highest commemoration by the living, as incentives to similar attainments by subsequent generations; and thus, though dead, may still speak through past words and actions with eloquence rendered more impressive and solemn by the consideration that only thus can their elevation and excellencies be preserved as precious treasures by their admiring and appreciative contemporaries.

Our State and country have reason to lament the recent departure of some of its brightest intellectual luminaries, in Judges R. C. L. Moncure, and Robt. Ould, and Hon. Jas. Lyons.

## Library of Congress

Public meetings and addresses have occurred, exciting interest throughout the country, and desire for their publication.

It has been thus determined to collect them for presentation in convenient form for preservation and perusal, as exhibited in the following pages.

106

### **JUDGE R. C. L. MONCURE.**

RESOLUTIONS, &c.

The meeting held by the Bar of Richmond to take memorial action on the death of Judge R. C. L. Moncure was very largely attended by the members of the profession, not only in Richmond, but from distant parts of the State.

The court-room of the Court of Appeals was nearly filled, and the exercises were of the most interesting and solemn character.

Judge Christian was, on motion of Judge Fitzhugh, made chairman. He made a beautiful and feeling address, as follows:

*Gentlemen of the Bench and Bar of Virginia:*

I accept gratefully and with pride the position you have assigned me as president of this meeting.

This large assemblage of the representative men of the Bench and Bar of Virginia attests more eloquently than any poor Words of mine, the respect, reverence and filial affection which we all feel for that great jurist and noble citizen whose memory we come to honor to-day.

107

## Library of Congress

Within this hall and at the other places of session of this court in the last twelve years we have had many sad meetings to express our sense of bereavement by death of so many, alas! so many of our beloved companions of the Bench and Bar of the State; a long catalogue—Allen, Lee, Joynes, Bouldin, Hallyburton, Daniel, Guigon and Meredith of the bench, and William Green, R. T. Daniel, N. P. Howard, Patrick H. Aylett, John G. Williams, Henry A. Wise, Holladay, Peachy R. Grattan, John Baldwin, Michie, James W. Sheffey, Campbell, Humes, Beverly Johnston, and a number of others, old and young, who in the short period of twelve years have passed away, admonishing us of the uncertainty of life, and painfully impressing us of how many great and good men in this brief period of twelve years have been lost to our profession and to the State.

This is a galaxy of great names of which any State might be proud—jurists, and orators, and scholars who illustrated by their great talents, and genius, and learning, that the Bar of Virginia was second to no Bar of any State in the Union. And now we come together again, after laying in the grave so many of our brethren, to honor the memory of him who was more than a brother to us all, indeed, the father of our profession.

We come reverently to perform a filial duty.

Not only every surviving member of this bench, but every member of the Bar of the State, and the whole people of the Commonwealth, to-day mourn the death of that great jurist and noble citizen, Judge R. C. L. Moncure.

He had the respect, affection and reverence of the people, as well as the bench and bar.

His pure character, his simplicity, his blameless life, his courage, his inflexible devotion to duty, unostentatious and unselfish life, won the hearts of the people, and there are thousands and tens of thousands of people to-day in Virginia who, knowing nothing of him as a great jurist, as he is known to the bench and bar, yet love him as a man, love and

## Library of Congress

cherish his memory, and love the example or his noble life, illustrated by so many manly and Christian virtues, and who will say of him, a purer and nobler man never lived or died.

108

But in opening these proceedings, as president of this meeting, I will not attempt to pronounce his eulogy. I am not equal to the task. After seventeen years of service on the bench I feel I have no aptitude to speak on such an occasion. There are distinguished members of the bar present who will eloquently discharge that duty. I will leave it to them.

I can only briefly refer to the public, career of this great and good man, and to the striking points of his noble character. I think I am at least equal to this task. I knew him as well as any man can know another, and I loved him as well as any man could love another. He was for more than thirty years a judge of the Court of Appeals, and for fifteen years its president. There are many of us now present who never knew him, except as a judge of the Court of Appeals. You will pardon me for reference to myself, simply because it illustrates his character.

The first case of importance, after I came to the bar, when I was a very young man, I argued in the District Court of Appeals at Fredericksburg, of which Judge Moncure was president, sitting with Lomax, Clopton, Meredith and Tyler—all now sleeping in their honored graves.

I shall never forget, but will ever gratefully remember, the kind words of encouragement with which he spoke of my poor argument in that, my first important case.

What he said to me then was a stimulus which had its effect upon my professional and judicial career.

Afterwards, for seventeen years, I sat by his side on the bench of the District Court and the Supreme Court of Appeals.

## Library of Congress

In all that period I looked up to him as the Nestor of the bench, whose wisdom not only guided us in our decisions, but which inspired the public mind with confidence, because the public trusted the integrity, purity, and learning of this great head of the judicial department of the State.

All men felt and knew that the decisions of Judge Moncure were the utterances of a pure and incorruptible judge, who always declared what he believed to be right without fear, favor or prejudice.

109

It will ever be the proudest recollection of my life that this great and good man was my friend, and that I can truly say of him, as was once said by a great lawyer of a great judge: "I did love the man and do honor to his memory on this side of idolatry as much as any." And if his reputation as a man and as a judge had ever been assailed, and needed any defence, I would have been as quick to defend him from all assaults as a son would be to shield his father.

Let me now briefly refer to his public career. Coming to the bar at the early age of twenty he soon attained the first rank in his profession in the courts in which he practiced. His first public service was in the Legislature of 1849–'50.

Such was his learning and accuracy as a lawyer, and so did he impress himself upon that body of great men and great lawyers, that he was placed on the committee for the revision of the statute law of the State, and every lawyer before me knows how diligently and faithfully he performed that great work of revision and brought out of chaos and confusion, and, aided by his great associates, produced the most compact and comprehensive system of statute law to be found in any State of the Union.

During the same session of the Legislature, on the 13th of March, 1851, he was elected to fill the vacancy occasioned by the death of the venerable Judge Brooke.

## Library of Congress

Under the Constitution of 1851, which provided that judges of the Supreme Court of Appeals should be elected by the people, Judge Moncure was elected one of the five judges. This position he held up to the close of the war, when for a brief period he retired to private life, but as soon as the restored government was established he was again elected by the Legislature of that government, and was then elected as President of the Court.

Again, in the dark days of reconstruction, when the military government came in, he retired once more to private life. But as soon as civil government was restored upon the adoption of the present constitution he was again elected by the Legislature as one of the five judges of the Court of Appeals, and was again appointed its president, which position he held up to the time of his death, which occurred on the 24th of August, 1882.

It thus appears that he was for more than thirty years on the bench of the Court of Appeals of this State, and for more than fifteen years its president. And for all that thirty years the ermine wore was pure and unspotted until he laid it aside for the habiliments of the grave.

In twenty-seven volumes of Grattan's Reports, extending from 7th Grattan to 1st Matthews, or 75th Virginia, may be found his great opinions, covering a period of over a quarter of a century.

These opinions will stand forever as enduring memorials of his great judicial career.

"Though dead, he yet speaketh," and for years to come will continue to speak to the bench and bar of Virginia and of the whole country, words of wisdom to guide both bench and bar in the application of these great principles of law which protect and guard the rights of life, liberty and property in every true country.



## Library of Congress

But this brief sketch of his public services would be incomplete without reference to his private character, in which he shone as an exemplar of every manly and Christian virtue.

He was, of all the men I ever met on this earth, the most devoted and earnest lover of truth for truth's sake.

When reflection convinced him he had been wrong he took the first opportunity to acknowledge it. He was often the earliest to discover his own mistakes as well as the foremost to correct them.

I think the language of a great judge in reference to the character of that great jurist, Chief-Justice Gibson, of Pennsylvania, may be well applied to Judge Moncure: "He was inflexibly honest. The judicial ermine was as unspotted when he laid it aside for habiliments of the grave as when he first assumed it." I do not mean to award to him merely that commonplace integrity which is no honor to have, but simply a disgrace to want.

He was not only incorruptible, but scrupulously, delicately, and conscientiously free from all wilful wrong in thought, word, or deed.

The benevolence of his heart was one of the most marked features of his character. Affectionate and kind to his friends, he was magnanimous to his enemies, who were few, if any. Benefits received by him were engraved on his memory as on a tablet of brass. Injuries were written on sand. He was quick to forgive, and "never let the sun go down upon his wrath."

The most conspicuous trait of his character was devotion to duty, and his whole life illustrated that conscientious purpose, never to disregard the obligations of duty so graphically set forth by the great 111 orator of America when he said: "There is no evil that we cannot either face or fly from but the consciousness of duty disregarded. A sense of duty pursues us ever. It is omnipresent, like the Deity. If we take to ourselves the wings of

## Library of Congress

the morning and dwell in the uttermost parts of the sea, duty performed or duty violated is still with us for our happiness or our misery. If we say the darkness shall cover us, in the darkness as in the light our obligations are yet with us. We cannot escape their presence. They are with us in this life, will be with us at its close, and in that scene of inconceivable solemnity which lies yet farther onward, we shall find ourselves surrounded by the consciousness of duty, to pain us wherever it has been violated, and to console us so far as God may have given us grace to perform it.”

It may be truly said of Judge Moncure, he was without prejudice as well as without fear. His firmness and moral courage were only equalled by his simplicity, which was sublime, and to him may be applied the words of the poet laureate of England:

“Rich in saving common sense, And as the greatest only are, In his simplicity sublime.”

And looking now upon that portrait hanging before you, recently placed in this hall, in which the great artist has brought out very lineament of his noble features, we may say of him as the same poet said of the Duke of Wellington:

“O good gray head, which all men knew, O iron nerve, to true occasion true, Oh fallen at length, that tower of strength, Which stood four-square to every wind that blew.”

And now I cannot close these remarks without reference to his godly life and Christian character; the picture would be incomplete without reference to this. I have spoken already of the sublime simplicity of his character. His Christian faith was simple as that of a little child. He believed the Bible, and accepted it all as true. He was no bigot. He was an ardent Episcopalian, believing in all the doctrines and tenets of that church, but of broad and catholic spirit. He recognized in all the churches the principles of the Christian religion, and 112 accorded to them all the right to believe in the doctrines of their own church.

This was illustrated by a remark he has often made to me, which was in effect this: “In all the churches there are good Christians, and when I meet a man whose life is governed by

## Library of Congress

the commands and precepts of the Bible, I greet that man as a Christian, and never inquire to what church he belongs—such a man, whether Catholic, Episcopalian, Presbyterian, Baptist, or Methodist, I recognize as my Christian brother, believers in the same great doctrines of the Bible.”

I heard him say on one occasion (and this I want to put on record) to some young graduates of the University of Virginia, who came to us for examination, and in reply to one who asked the question, “What is the best law book for a young lawyer to read?” he said: “The best law book, young gentlemen, to start with is the Bible. Read and study that as the foundation of all law and of all jurisprudence of every civilized country.”

And now, in conclusion, I cannot refrain from giving you an account of his peaceful end.

We all know how he lived, let me tell you how he died.

It was my mournful privilege to take leave of him on his death-bed a short time before he passed away.

He was the only man I ever saw who was not only willing but anxious to die. He was then greatly enfeebled in mind and body, a mere wreck of his former self. But he recognized me at once and expressed great pleasure at seeing me before his death, saying it was the last time we should ever meet on earth. With difficulty of speech he inquired affectionately after all his brethren on the bench, and of many of the members of the bar, with whom he was closely associated and dearly attached. He said to me when we parted, taking me by both hands, and with something of the fire and energy of his former nature, Farewell, my dear old friend, we shall never meet again on this earth; you have sat by my side for seventeen years on the bench of the District Court and the Court of Appeals. All that time we have been fast friends, we have tried to do our duty in the most trying and difficult period in the history of our State. You see me now a dying man; I have no fear of death; I long to be at rest. I can no longer be of any service to my family or to my State, and am ready to go. I wish I could die now while you are standing by my bedside and holding my hand. My

## Library of Congress

affairs in this life are now all closed, and I long to enter upon that immortal life. There is only one thing that now disturbs me: I fear I am sinning against our Heavenly Father by my impatience to die and go at once to my eternal rest.”

These were the last words I heard him utter, and I deliver them to you to show how a great and good man can meet his death.

He served his country well. He died wept and honored by a whole commonwealth:

“And now he wears a truer crown Than any wreath that man can weave him.”

At the conclusion of his remarks, and on motion of Judge George L. Christian, St. George R. Fitzhugh, Esq., and Major Robert Styles were elected secretaries of the meeting, and on motion of Major Legh R. Page, the following Committee on Resolutions was appointed, viz.: Messrs. Legh R. Page, Judge E. H. Fitzhugh, James Alfred Jones, Judge Beverly R. Wellford, Judge Robert Ould, Judge W. W. Crump, Judge George L. Christian, John O. Steger, John H. Guy, Judge Richard Parker, J. S. Harnsberger, J. Thompson Brown, John A. Waddill, James M. Stubbs, ex-Senator John W. Johnson, and J. V. Brooke.

During the absence of the committee letters were read from Prof. John B. Minor, John A. Campbell, Henry E. Blair, Prof. S. O. Southall, Hon. John W. Daniel, Hon. A. H. H. Stuart, C. W. Wattles, Judge James Garland, and Robert Crockett.

Speeches were made by E. G. Booth, Esq., Judge B. R. Wellford, Jr., Robert W. Ward, Esq., Judge Richard Parker, Major Robert Styles, C. G. Griswold, Esq., W. C. Roane, and R. V. Brooke.

The Committee on Resolutions made the following report:

The members of the bench and bar of this Commonwealth, called together by the death of the Hon. Richard C. L. Moncure, desire not only to express a deep sense of their loss, but to bear witness to the great value of his public services, to the rare simplicity of his

## Library of Congress

character, the courtesy and kindness of his manner, and his single-minded devotion for a long life to the profession of his choice.

Very early in life he was elected a member of the Legislature from Stafford, his native county, but he soon retired from political life, and devoted himself to his profession. He was then appointed Attorney for the Commonwealth, which place he filled until 1849, when he was prevailed upon to represent the county as a member of the House of Delegates. The revision of our laws then excited a great measure of public attention, and he was appointed by that body chairman of the committee. While a member of the Legislature he was elected a judge of the Court of Appeals to fill a vacancy occasioned by the death of Judge Brooke. Soon thereafter he was, under the new Constitution, again elected to the same office by the people, and without opposition. He continued to hold the position, with the exception of a brief period, until removed by the military power in the days of reconstruction. When that political era had ended he was re-elected for a term of twelve years from January, 1870, and was chosen by his associates as president of the court; and there he remained until death closed his useful and honored career.

The patient and earnest industry with which he investigated every case before he formed his judgment is well known, not only to his associates upon the bench, but to the bar throughout the State. His recorded opinions, covering a period of more than thirty years, best attest his profound learning, his extensive research, and the independence with which he maintained the views he had deliberately formed and believed to be right. If any discrimination is to be made as to the value of his opinions, those in which he enforced the great cardinal principles of equity jurisprudence will, it is believed, be most highly esteemed by the profession. No one could have discharged the duties of his high office with greater zeal and industry and a loftier integrity.

While absolutely free from all ostentation or pretence of any kind, and caring nothing for the externals of office, he had a just sense of the dignity of the tribunal over which he so long and so ably presided. There can be no doubt that his nature was vehement and

## Library of Congress

passionate, but he had subdued it, and though often provoked, it is believed that he has seldom or never spoke harshly of any one. In his friendships he was sincere and zealous, of a warm and generous heart, and a most gentle and devoted husband, father, and son.

From early manhood Judge Moncure was an earnest member of the Episcopal Church. Indeed, the corner-stone of his reputation as a man, a lawyer, and judge was his Christian character, manifested by 115 his love to God and his neighbor, consistent always—forgetful never. He had a ever-present sense, that, as one of the chief-magistrates of Virginia, he was a ruler as well as a law-giver, and was always mindful of the sacred injunction that “He that ruleth over men must be just, ruling in the fear of God.”

We do not mourn for him as one stricken down in the midst of his usefulness, for we know that the ravages of disease had made life a burden too heavy to bear; that he was at the end of his pilgrimage—on the very bank of the river—awaiting the last summons. He had kept the faith, and was ready to be delivered.

The loss of such a man at any period is a calamity that all good men must deplore, but in these times the blow falls most heavily. It is our duty to take care that we and those who come aider us do not lose the benefit of so pure and spotless a life. We cannot willingly let die the memory of such virtue and excellence as that which dignified and adorned the life of our loved and venerated friend and brother.

*Resolved*, That the foregoing is but a just tribute of respect and admiration to the eminent ability, profound learning and rare private virtues exhibited in the long and distinguished judicial career of the Hon. Richard C. L. Moncure.

*Resolved*, That the Secretaries of this meeting forward a copy of these proceedings to the family of the deceased, with the assurance of our deep sympathy with them in their bereavement.

## Library of Congress

*Resolved*, That Robert Ould, Esq., be requested to communicate these proceedings to the Court of Appeals, and ask to have them entered on the records, and that copies thereof be published in the “Virginia Law Journal,” and daily papers of his city.

Mr. E. G. Booth, followed Judge Christian, after resolutions were submitted.

### **REMARKS OF MR. E. G. BOOTH.**

Mr. Chairman:

If this be the time for remarks, and if it be necessary to move the adoption of the resolutions, I will now say, by way of reserving the 116 best for the last—expecting many to succeed me—that though entitled to the privileges of your court, or through the United States courts, I was impelled in accepting the kind invitation to be present on this occasion by different and more tender considerations.

I believe, sir, that of those committees to which such reference has been made, selected to revise the laws in 1849, and of which Judge Moncure was chairman, only Conway Robinson, Wm. M. Ambler, Esqs., and myself remain. Neither of the others being present, I alone can appear as the representative of those committees.

He was really called and passed by the soubriquet the father of that committee. I thus can commingle my tears with the lugubrious current rolling through this assemblage in the loss, not only of a friend, but a father. The last time I recollect to have met him in this building, hearing I was in the adjoining room, he left the bench and came in with open arms to embrace me. He had a warm heart, as well as a *clear*, wise head.

Associated as he was on that committee, with such giants as John M. Patton, Conway Robinson, Burr Harrison; Robt. E. Scott, in strength of intellect the peer of all creation, it would be invidious and unnecessary to say that Judge Moncure was the best man I ever knew, or the best judge, or the best advocate.

## Library of Congress

But, sir, take him all in all, and in general combination, I may say, without the fear of successful contradiction, that we ne'er or rarely will look upon his like again, my distinguished deceased friend, Judge Thos. S. Gholson, occurring to me as in the same category.

Sir, you were perfectly correct in saying his whole impulse was from a sense of duty.

His seat in the hall of the House of Delegates to my left, his form and manner, are vivid before me at this time, though over thirty years ago; much more so than the picture before me, as he arose to oppose the removal of the Legislature from Richmond to Fauquier Springs in apprehension of the cholera, and uttered the solemn words, "The path of duty is the path of safety— *trust* in God!"

Sir, I can truly say that in the eight months of our association, I never heard an unkind word or witnessed an unkind manifestation. I could write a book of incidents illustrative of his character, but fear I am trespassing on the time that might be so much better occupied by 117 others. I will state one incident so illustrative of his benignant disposition.

While the committee was seated around a table in an upper room of the Capitol, some inferior officer occupying the position, as I understood, as runner for the Governor—but regarded it, perhaps, as above the Governor entered the room and inquired if we were engaged in making the laws of the State. He was answered in the affirmative and referred to the chairman of the committee, remarking that he had some suggestions to make connected with the duties of his position, and inquiring if there could not be some mitigation of them. At the end of each inquiry he received the most pleasant, polite response, "*Certainly*, sir." He was thus encouraged to repeat his suggestions and inquiries with the same response. At the conclusion, instead of ordering him off, Judge Moncure remarked with the kindest and blindest manner, "I suppose you understand that in thus relieving you of the duties of your office there should be a corresponding reduction of your



## Library of Congress

salary.” It was amusing to see the fellow's change of countenance and change of base—certainly never returning with similar interruption.

It seems inscrutable that we should mourn the departure of such individuals while so many less worthy remain.

We read, however, that—

“Empires decay, and nations die, Our hopes to winds are given, The vernal blooms in ruin lie, Death reigns o'er all beneath the sky. There's nothing sure but Heaven.”

Sir, your impressive description of his death-bed illustrates the sentiment, “Mark the perfect man and behold the upright; for the end of that man is peace.”

Indeed, sir, well may we inquire,

“Is that a death-bed where the Christian lies? *No*, 'tis not his; 'tis death itself that dies.’

He had appropriated those great doctrines of faith, repentance, Holy Spirit, atoning blood, sovereign grace, substitution, adoption, 118 that make death and the grave run like cowards. The valley may be dark and the clouds lowering, but spanned by a bright bow of promise dispelling all gloom. Sir, how appropriate to paraphrase and explain your description, this desire to depart, etc., with the verse—

“The clouds disperse, the light appears, My sins are all forgiven, Triumphant grace has quelled my fears, Roll on thou sun, fly swift my years, I'm on my way to Heaven.”

Sir, while much might be said and written, the whole may be summed up in a small compass.

“He was— But words are wanting to say what— Say what a person ought to be. And he was *that*. ”

Sir, his sun of life has set forever; but the bright beams of his example will long linger on the horizon to cheer the rising youth of our country in the paths of virtue, of honor and renown.

Note. —Mr. Booth will make appendix towards the conclusion.

120

### **REMARKS OF JUDGE WELLFORD.**

Mr. Chairman:

I offer no apology for occupying the attention of this large assemblage of my brethren of the Bench and Bar of Virginia for a brief period. To most of them Judge Moncure was only known in the maturity of his and their own lives. I recognize around me a few, but very few, whose recollections, like my own, antedate his public life and reach back to a time when he was little known outside of that community in which, except when called from home by official duty, he passed his life from the cradle to the grave. I was born and raised in that community. He was a generation ahead of me. His oldest son, now an honored occupant of the Bench in a sister State, and myself were associated in our first experiences of life by ties and feelings which time and distant space have never obliterated or obscured. Judge Moncure, though some years younger than either my father or mother, was their contemporary and an hereditary friend of his and her family.

When I can first remember him he was a comparatively young man, engaged in the laborious and successful practice of his profession. No man ever commanded to a greater extent the affectionate confidence and esteem of the community in which he lived. It was a community whose praise or censure was not of little value. Rich in remote traditions, recent memories and the present possession of honored sons, in measuring every claimant upon its confidence it subjected him to a high standard. Men and women of middle age in that community, when Judge Moncure began life, detailed in daily

## Library of Congress

conversation to their juniors vivid recollections of their association in earlier life with Washington, and Madison, and Monroe, and George Mason, and the Lees, and Grayson, and John Taylor of Carolina, etc., etc. The homestead which sheltered the declining years of Mary Washington was there. The humble office from which James Moncure first hung out his sign as a candidate for practice as a lawyer was still standing. Upon the one side of the river the memory was as recent as ours of the late war of an animated election for Representative in Congress in which the 121 personal influence of George Washington cast the scales in favor of Lighthorse Harry Lee. While upon the other shore the fathers told their sons with honest pride of their maiden vote under the Constitution of the United States for James Madison to represent them upon the floor of Congress. That venerable man was still living, and a few years later was summoned from his retirement to close his official life as a representative of that same people in the memorable Virginia Convention of 1829.

When Judge Moncure came to the bar Fredericksburg was the seat, under the old Constitution of 1776, of one of the four or five District Chancery Courts of the State. Three of the five then judges of the Court of Appeals were residents of the immediate vicinage. Judge Brooke lived but eight miles below Fredericksburg, Judge Coalter immediately across the river, in Judge Moncure's own county of Stafford, and Judge Green, who had spent in Fredericksburg his active life as a practicing lawyer, and for some time as judge of the District Court of Chancery, was living some twenty or thirty miles distant in the county of Culpepper. The then circuit judge of the Fredericksburg circuit was William Brockenbrough, who subsequently became a judge of the Court of Appeals. Robert Stanard, also an after judge of the Court of Appeals, was then in the maturity of his early fame at the head of the resident bar of Fredericksburg. John Taylor Lomax was only temporarily absent as the first Professor of law in the University of Virginia, from which position he was recalled by the General Assembly to succeed Judge Brockenbrough as judge of the Circuit Court.

## Library of Congress

The non-resident bar, whose constant attendance made names and faces familiar, embraced among its elder members two subsequent judges of the United States Supreme Court—Philip P. Barbour and Peter V. Daniel—and other such men as John Scott, of Fauquier, John S. Barbour and Andrew Stevenson.

Among Judge Moncure's own contemporaries of the younger bar it suffices to name John M. Patton, Arthur A. Morson, the venerable ex-Governor Wm. Smith, Robert E. Scott, Wm. Green, John L. Marye, Lawrence W. Berrey, Thomas B. Barton.

At that bar and among those people Judge Moncure began his professional life without the advantage of early education or the patronage of older lawyers. He staked his success upon his worth as a 122 man, his capacity for the work he undertook, and his earnest consecration to that work as the duty of life.

He succeeded. How well he succeeded has become matter of history in Virginia.

Upon that point I need not dwell. There are times and occasions which are suggestive of more than any eloquence of speech could equal, and I do not mean in this presence to attempt any expression of my own appreciation of Judge Moncure's merits as a lawyer and a judge. Before that bench from which he has these many years spoken the law; before this audience, each of whom have thumbed the thirty volumes of Virginia Reports which transmit the most permanent literature of this Commonwealth the results of his judicial labor, it would be idle to say that he was a great lawyer and a great judge.

But Judge Moncure was a great lawyer and judge less from native talent and acquired learning, eminent as they were, than from the force of personal character as a good man in principle and in action.

His head was always under the domination of a heart which recognized his obligations to God and to man, and accepted as the standard of his own life the golden rule of doing as he would be done by. He earnestly believed that the limit of human authority in the

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Legislative Department was to order, and in the Judicial and Executive Departments to enforce between man and man, in all the relations of life, the observance of that cardinal principle.

Upon that theory he practiced at the bar and he spoke from the bench, and the only reproach which I have ever heard suggested upon his long judicial career was that in his honest purpose to command from every suitor before him strict and even justice proportioned to the facts of the case, he may sometimes have weakened the force of technical rules and precedent cases.

Judge Moncure's life was spent in the labors of his profession. He was not unfrequently tempted to enter the Political field with assurances of promotion and success, which would have diverted the current of almost any other man's life. But he steadfastly refused the temptation. His connection with political life was limited to a brief period of service in the General Assembly, mainly for the purpose of assisting in the formation of the first Code of Virginia, and in the Constitutional Convention of 1849.

But no man ever felt a deeper or profounder interest in political 123 affairs. His opinions upon every question of political policy were always of the most pronounced character, and whenever occasion required or justified their expression, his voice never bore an uncertain sound. He was an earnest patriot and intensely a Virginian. His emigrant ancestors had found their homes among her people, and nothing which affected her honor or her interest was a matter of indifference to him.

He cherished her past, he was jealous of her present, and in her darkest hours looked with hope and confidence to her future. No son of hers was ever more loyal to the mother that bore him, and never had mother a son in whom she had better cause to feel an honest pride. The soil of Virginia is rich in honored dust, but her great bosom never opened to receive a form which tabernacled a soul more earnestly consecrated to her in life than when the sods of his native Stafford rattled upon the coffin of Richard C. L. Moncure.

**REMARKS OF JUDGE RICHARD PARKER.**

The long and almost unbroken service of Judge Moncure as a member of our highest judicial tribunal, during the latter sixteen years of which he presided over its deliberations and did much to shape its decisions, is so familiar to the whole Virginia Bar as to make it unnecessary, in this presence, to attempt a minute enumeration of the qualities of mind, of heart and of habit, which so admirably fitted him for the wise and acceptable discharge of the duties of his high office.

I therefore shall not venture upon so extended a task, and shall content myself with the briefest allusion to them.

Loving him as if he had been a near kinsman, and recognizing that the bereavement, which we deplore, has happened alike to every part of our Commonwealth, and that so lamentable event should not pass unnoticed, I, like others, whose homes are at a distance, have felt it to be a privilege to be present at this meeting, to express our sense of the loss which all classes of our community have sustained in the death of so eminent a citizen, and so distinguished a Judge, and cordially to unite with the entire Bar of the State in an affectionate tribute of respect to the memory of our departed friend and brother.

Judge Moncure was so amiable and warm-hearted, so frank and open, so courteous in manner, and free from guile, that he soon won, and ever afterwards retained, the sincere affection of all, with whom, in the course of their employment or otherwise, he was brought into contact. His sense of justice seemed to be innate. His determination to act only as his judgment convinced him was right, was always apparent. Prejudice could not sway his conduct, nor could the claims of friendship draw him away from the path of truth and justice. Neither the passions of party, nor any popular outcry, could shake his fixed resolution to be firmly faithful to the great trust which his State had confided to his charge.

We, who had such frequent occasions to observe him in the discharge of his public duties, knew that he was worthy to be the head of our profession, and to preside in our highest court. We also knew that every question of law or fact, that arose before him, would be considered with patient care, that he would give its proper weight to every argument addressed to him, and that his decision would be without bias, and in exact obedience to the convictions of his enlightened intellect.

126

He thus secured, as he deserved, our fullest confidence. We could not but admire him for his rigid impartiality. We know that no influence could induce him to swerve from truth and right. His pure and spotless character commanded our veneration, and gave additional force to the wisdom of his judgments.

Yet, great as was his intellectual strength, and varied and profound as was his legal learning, he at no time attempted any innovation upon the settled principles of the law, but was resolute to uphold and enforce them. He recognized that it was the duty of a Judge to declare the law, as it exists, not to engage in any rash effort to improve or to change it.

Such was the character of this great and good man, and thus did he at all times act in his high place. By his bearing he added to the dignity and honor of the office which he filled.

The services which he rendered during his protracted continuance on the bench entitle his memory to the admiration and esteem of all who duly appreciate the blessings of a society which is governed by fixed rules of law.

We look back with pride to his official life, and commend its imitation to those who may succeed him. Their distinction will be great if they walk in his ways, and serve their State with the same fidelity which, through a long and useful life, characterized the course of our late Chief Justice.

**REMARKS OF MR. J. V. BROOKE.**

Mr. President and Gentlemen:

I have been called upon to add a few words to what has been better said by others. Although consciously unworthy of so high an honor, I must accept it. The Bar of Fauquier ever regarded with profound veneration the distinguished man whose loss we mourn. It must not be voiceless to-day when the Bench and Bar of the Commonwealth is doing him honor.

I have come from my home in the mountains, not to pronounce a eulogy. My mission is simply to attest by my presence, my sympathy with the objects of this meeting and to add an humble leaf to that chaplet of honor with which you propose to wreath the memory of one of the *best, purest, and noblest* of Virginia's sons.

Our departed friend was one whom early in life I learned to honor <sup>127</sup> and to love. If there be one in this assemblage more than any other bound to pay heartfelt tribute to his memory, I am, perhaps, that one. At the early age of seventeen I entered his office as a student of the law; from him I received all the kindness which a father might bestow upon a son; from the engrossing labors of an extensive practice he borrowed time to aid me in the pursuit of professional education. By his guidance I was led along the avenues that conducted me into the vestibule of legal science, and if my subsequent career has failed to reflect credit upon his careful training, the fault has been *mine* not *his*.

But this much I will say, that if in the years that have intervened there has been a special inspiration, ever picturing before me a model of personal and professional excellence, worthy of my highest endeavor, it is the recollection I have cherished of the character and conduct of Judge Moncure, as they impressed my youthful mind. I need hardly say that the ideal then formed has been intensified by subsequent observations, and that to-



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day I record my testimony with those who speak most loudly in his praise, whether he be regarded as a *lawyer*, a *jurist*, a *Christian*, or a *man*.

I trust I may be pardoned this personal allusion. I could not withhold it in justice to the sentiment of gratitude I feel towards one who proved himself a friend, when friends were few and fortune was not kind.

The character of Judge Moncure was “ *sui generis*. ” It cannot be well defined by comparison with any other, however strongly marked. It was not cast in a common mould. It was a rare composite of *Doric* strength and *Corinthian* beauty, reared upon the solid foundation of a child-like and unquestioning faith in God. He was in no sense a “Man of the World.” Between him and the busy, bustling, jolting crowd, that throng the highways of trade and traffic, there was an immeasurable distance. If he was ever brought into contact with the gossip and scandal that so often disturb communities, it was only through the medium of his profession. It is true that at some periods of his life, earnest conviction of public duty led him into the political arena, but at the earliest opportunity he returned to the more congenial duties of professional life. He loved to tread the sequestered walks and ways of judicial science, and found more pleasure in storing away the solid fruits of legal lore than in gathering the flowers that adorn the glittering 128 parterres of *literature*, or *poetry*, or *romance*. He was a lawyer and he loved the law. It was to him a business and a recreation alike, and upon its altar he burned out his life.

There was nothing poetic in his temperament, but there was poetry in his life. It was a grand epic, made up of noble resolves, and manly purposes, and untiring labors, working themselves into a personal history of singular power and beauty. With him “ *life was real*, *life was earnest*, ” and he found no time to contemplate its comic side.

Probably the most conspicuous element in the character of our departed friend was a happy combination of conscientiousness and firmness. With him Right was Supreme and Duty a Watchword. His was the stuff of which martyrs are made, and he would have died

## Library of Congress

sooner than surrender principle. The rack or stake would have been impotent to drive him from the path which an enlightened conscience marked out before him. On this account he may, at times, have seemed impracticable if not intolerant. But if so, it was only a seeming. For while he held his own opinions by a rigid tenure, he was ever respectful to dissentient views, and weighed them in the balances of an honest judgment. It was only when unconvinced that he was inflexible.

But I forbear. I have said more than I intended. I leave to abler hands the duty of portraying the spotless Christian character and eminent professional ability of the lamented dead. Indeed this has been already done in the tender and beautiful tribute to his memory, to which we have just listened from the lips of his learned brother and associate, Judge Christian.

The sentiment which is uppermost in my heart to-day is one of sorrow, sorrow that the august presence so familiar to our sight in days gone by is here no longer, sorrow that the voice to which we have so often listened is forever silent. “ *After life's fitful fever he sleeps well,* ” and the spirit that was as full of gentleness, as it was free from guile, now rests securely in the bosom of its God.

In the death of Judge Moncure, the Bench, the Bar, the State, the country has sustained a loss well nigh irreparable. The life and services of such a man constitute an element of value that cannot be overestimated. When he dies it is as if a beacon light were extinguished, a star stricken from the firmament.

All that is left us is to revere his memory, to imitate his virtues, to mingle our tears with those of his loved ones crushed beneath the weight of a great sorrow, and to pray that the ermine which he wore so worthily and left so pure may be preserved untarnished by passion or prejudice or faction, through all the years to come.

R. D. Ward, Esq., made the following remarks:

**REMARKS OF MR. WARD.**

Mr. President:

I desire to add my humble tribute to the memory of a man whom I have known for forty years, and who by many acts of disinterested kindness to me during that long period I know was my friend.

The members of the Bench and the Bar of the State have assembled to commemorate the death of Judge Richard C. L. Moncure, late President of the Supreme Court of Appeals of Virginia. When such a man dies, the public looks for and his life deserves more than a mere passing notice, lie possessed a character so worthy of emulation and example to all, and discharged so many and such important public trusts for a long life, that some account of them will be interesting and beneficial.

Richard C. L. Moncure was born in the county of Stafford, in the year 1805, of highly respectable and honest parentage. His father, Col. John Moncure, held an office under the United States Government, was a man of large possessions and much given to hospitality, his house being all the time full of guests, He died when Richard was only three years of age, and his fortune had melted away, and after his death it realized for his children almost nothing. Richard was left to the care of his mother, Miss Alice Gaskins, of Northumberland, with nothing but his own talents, perseverance and industry to make his way in the world. He had no other school advantages than those furnished by an old field school in the county of Stafford, which he attended for three years, and a school of higher grade in the village of Falmouth, which he attended for one year. When about thirteen years of age he removed to Falmouth to live with his brother, who was sheriff of the county, and while with him he assisted him and borrowed law books from lawyers in that village and in Fredericksburg, which he read during his time of leisure from his regular pursuits. In this way he acquired a knowledge of law, and in 1825, he was admitted to the bar. He commenced practice in Falmouth, and in 130 one year thereafter, when

## Library of Congress

only twenty-one years of age, he was appointed Attorney for the Commonwealth for that county. In the same year he was elected to the Legislature from that county, and he served in that body five sessions. When just arrived at age he married Miss Mary C. Conway, an estimable lady, who was his life-long companion, and still survives him. He was a member of the Constitutional Convention of 1849-'50, and while a member of that body, he was appointed by the Legislature one of the judges of the Supreme Court of Appeals, of Virginia, on the bench of which he has remained until his death, (except during the years of reconstruction), a period of over thirty years. Thus, from youth to old age, his life has been silent in the service of his State in the discharge of the most important and honorable duties which can be imposed upon a citizen. In all her annals no official of the Commonwealth ever performed the duties of his office with more conscientious fidelity, or with more constant effort to do his whole duty. The measure of his success is seen in his labor in the revision of the laws and everywhere upon the pages of Grattan's Reports, and its completeness is acknowledged in the respect and veneration in which he is held by the whole Bar of the State as well as all her people. The work of the revision of the laws was one not only of great importance, but it required a vast amount of thought and labor. In 1846, the General Assembly passed an act appointing John M. Patton and Conway Robinson, Esqs., to revise and digest the civil code. It was made their duty to revise all the civil statutes then in force, and to report to the General Assembly which of the general statutes ought, and which ought not to remain in force, with drafts of such bills as might seem to them ought to be passed. The revisors finished their work in 1849, having bestowed upon it their most careful consideration, which their training and ability as eminent lawyers enabled them to do. They made their reports to the Legislature, who referred them to the joint committee of the two Houses, which was composed of the following members. On the part of the House of Delegates—Messrs. Moncure, Scott, Harrison, Conway, Whittle, Smith and Booth; and on the part of the Senate—Messrs. Thompson, Witcher, Sloan, Kinney and Ambler. Judge Moncure was made chairman of the joint committee, and the labor which he especially, as well as others of the committee, performed was continuous and exacting. Owing to the prevalence

## Library of Congress

of cholera at Richmond, the General Assembly 131 sat at the Fauquier White Sulphur Springs, and it was at that delightful spot that the labor of the committee was performed. It was employed in examining the revisors' reports and conferring with them, and making such amendments thereto as they deemed proper. Judge Moncure bent his whole energies, and gave all his legal experience and learning to this work. In the committee and in the House of Delegates, he took a leading part in the discussions of the various bills which were reported. The whole work of the revisors and of the Committee of Revision resulted in the Code of 1860, every page of which is stamped with the labor and learning of this distinguished jurist. In addition to the prominent part which Judge Moncure took in perfecting the civil laws of the Commonwealth, he, with Messrs. Scott, of Fauquier, Harrison, of Loudoun, Mosby, of Campbell, and Mayo, of Richmond City, in 1848 framed, and the General Assembly passed the act of March 14th, 1848, to reduce into one the several acts concerning crimes and punishments, and proceedings in criminal cases, which, later, was substantially accepted and reported by the revisors, and became the criminal law of the State.

During his long service as a judge of the Supreme Court of Appeals, Judge Moncure delivered the opinion of the Court and dissenting opinions in about 400 cases, comprising about 3,000 pages of Grattan's Reports. These opinions are generally indicative of a clear understanding of the cases, expressed in apt language, and lay down sound principles of law. They have received the sanction and approbation of the profession, and no counsel ever heard Judge Moncure read an opinion, even though he decided his case against him, and he might have thought at the time that he was wrong, ever doubted his integrity and honesty of purpose, and after a while did not come to the conclusion that he was right. Virginia may have had other judges whose legal learning and scholastic training were greater, whose powers of mind were stronger and more comprehensive, whose treatment of judicial questions was more profound and whose language was more concise and pointed, but among the long line of distinguished jurists that have adorned her bench, not one can be found who possessed more conscientiousness in the discharge

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of his whole official duty, or used more diligent and industrious efforts to perform it. Of all the public men of the State that I have known for the last forty years, there is not one who, throughout his whole career, has exhibited greater zeal, 132 earnestness and conscientious industry to discharge his public duties. I know of many little incidents which beautifully illustrate the childlike simplicity and purity of his character; but I will relate only one which shows his scrupulous conscientiousness in regard to the expenditure of public money. On one occasion some years ago, with the stationery I usually purchased for the court, I bought knives for the judges. When I presented one to Judge Moncure, he declined to take it, saying his old knife, which he had had for twenty years, would last as long as he lived. I suggested to him that he had better take the knife, that it would just suit to trim his trees at home, and that surely he should feel justified in taking from the State one knife in twenty years, when the members of the Legislature and other State officials got them every year. He consented at last, and put the knife in his pocket. The next morning, when he came to the court-room, he said to me: "Mr. Ward, during the night I have been thinking much about the knife you gave me," and with his old wornout one in his hand said, "Take it back to the store from which you got it; I have concluded to use my old knife the balance of my life, and do not feel satisfied to put the State to the expense of a new one for me when I can do without it." What a contrast to the conduct of many of our public officials of the present time! How advantageous to the country it would be if they were inspired with the sentiment which pushed the old Judge to so overmuch scrupulousness. For the past twelve years, during which time I have occupied an humble position in this court, I have observed the veneration and love entertained for him by his brethren of the bench, as well as the honor and respect felt for him by the Bar of the State, and when, in the last year of his declining health, I called on the members of the Bar of Richmond for the means to purchase yondar excellent portrait which now hangs on the wall of this court-room to remind us of the living form which we have seen so often on that bench, and which will hang there, I trust, through all time, to encourage future generations of lawyers to study, admire and emulate the sublime character of the man and judge, I had no difficulty in getting the money, but I had to put the subscription quota very low

## Library of Congress

in order that all might have the privilege of subscribing and many lawyers outside of the city expressed to me their desire to subscribe. It was put there without his consent or knowledge in his lifetime, and when he was absent from the city. When the old Judge 133 first looked upon it and was told its history, unshed tears stood in his eyes and his heart swelled with emotions inexpressible as he gazed upon the patent, lasting tribute of the respect, esteem and honor thus bestowed upon him by his professional brethren who knew him so well and loved him so much.

Alas! Judge Moncure has gone from earth. We will see him no more in this forum, no more in the paths he so often trod; but yet he still lives, and will continue to live so long as men delight to contemplate the deeds of an honest life, of a wise councillor, of an upright judge and a Christian gentleman. He still lives in his character and his example—an inestimable legacy to his professional brethren if they will but rightly appreciate it and emulate it. He lived a worthy, true life, and he died triumphant in the Christian faith, and angels have borne his immortal spirit to that glorious City of God not made with hands, eternal in the heavens.

It is but natural for his friends and companions to sorrow and grieve when such a man departs, but let us rejoice that he has obtained so great a reward, and let us all try so to live that we may secure a similar one.

It is to be regretted that the letters and some of the speeches and documents of the bar meeting could not be conveniently procured for this edition. Since it was closed letters have been received from Judge Sheffey, Judge Watson, Samuel Price, John A. Thompson Win. M. Burwell, Esqs., all breathing the same exalted devotion and appreciation, and thus from one learn all. Mr. Burwell's gives assurance that the mantle of a noble sire has fallen on a noble son, now of Louisiana.

### REMARKS OF JUDGE OULD.

## Library of Congress

Remarks of Judge Ould in presenting the resolutions of the bar meeting to the Court of Appeals:

*May it please the Court:*

On the first day of this term a large number of the members of the Bench and Bar of the State assembled in this room to pay their tribute to the memory of the late president of this court, who, in the interval of its sessions, at his own home and in the midst of a loving household, was released from the labors of a long and eventful life. I was instructed by that meeting to present the memorial and resolutions 134 then adopted to this honorable court, over which he so long presided, with a request that they be entered on its records.

The death in office of the president of the highest court of the Commonwealth is an event of such moment that his survivors can well turn aside from the judicial routine and perpetuate on their records the memory of one who, for so long a time, was their honored chief and friend.

Judge Moncure, in early life, was compelled to struggle with the privations of poverty. But he was born of a sturdy stock; and to one who meets such difficulties with the spirit which he at once displayed, they are not a real disadvantage. Most of the world's worthies have had this training, and by it were made more independent, more buoyant, more self-reliant, more athletic in mind and body, and thus braver and stronger in the subsequent battles of life than their brothers reared in luxury and ease.

Although Judge Moncure was called to the bench at a comparatively early age, he had previously won great distinction at the bar in a section of the State prolific in able lawyers. His studious habits and pure life gave him the confidence of the people, and they ever watched his course with interest and followed his fortunes with their affection. He had all the qualities to make him a noted man in the community, zeal for the cause he espoused, and strong common sense, which, a distinguished judge has aptly called



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the great solvent of legal perplexity. Nature also had capacitated him for great labor and endurance. His triumphs in his profession were not confined to the local bars of his section. He distinguished himself in arguments before this court, when it was not common for local counsel to follow their causes to this tribunal. One of the most noted of them was in *Yerby v. Lynch*, 3 Grattan, which was made memorable by reason of its connection with the death of Judge Stanard, who was stricken with a mortal illness while writing an opinion in that case, in which he paid a high compliment to Judge Moncure's argument.

Judge Moncure began his judicial career in April, 1851, and with but little intermission continued on the Court of Appeals, either as Associate Justice or its President, until the time of his death. His published opinions are found in twenty-eight volumes of the Virginia Reports, running from 7th Grattan to 1st Matthews, inclusive, and embracing a period from April, 1851, to November, 1880. During the greater part of this time he was the President of the Court, and it can be truly said of him that his wisdom and purity had no little to do in inspiring the public with confidence in its decisions. During this judicial career he analyzed and mastered the most difficult questions of jurisprudence, and presented them with clearness and precision. Some of these subjects were fields which he had scarcely ever traversed in his practice at the bar, such, for instance, as commercial securities, yet his great industry and accuracy soon made him master of all that was essential to be known. In treating obtruse matters, he was free from all pedantry and affectation of learning, and in the noble function of construing constitutions and statutes, of determining the controversies of men, of disentangling complicated questions of law and fact, and reducing them into harmony, he was patient, industrious, impartial, bringing to his high office all the graces of conscientious spirit. If he committed errors by inattention, want of time or preconceived opinions, it is a wonder, in his long judicial life, he did not make more. In the controversies which come for judicial determination before courts, it must needs be that there are matters of difference that are almost equally balanced, where some parts of the record are apparently for one party and others are against him; and in such cases, common to all courts, it would be too high a praise to be given to any judge,

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that he had always decided correctly. No man would have been prompter than Judge Moncure to deny any general infallibility on his part, earnest as he was in almost every case to insist upon the view which he had maturely adopted. That he did hold to such opinions in the face of any opposition cannot be denied. The second opinion which he delivered in this Court, that in *Dabney v. Kennedy*, 7th Grattan, was one of dissent from the otherwise unanimous judgment of the Court, consisting of Cabell, Allen, Baldwin, Daniel, and himself, when he was junior, both in years and term of service, to all of them. He had such independence of character that dissent from the majority of his brethren was not an uncommon occurrence in his judicial life.

This self-reliance of Judge Moncure was also shown by the fearless way in which he walked through the dark places of the law, where the light of precedent did not reach him. Some of the best opinions he ever delivered fall under this class. But when he was required to blaze his own way, he never moved rashly and hastily, but always with circumspection. If direct precedent could not be found, he followed what was its best substitute, the analogies of the law. Yet, it cannot be altogether denied, that while he held that the artificial reason and judgment of the law ought to come into play in deciding causes, as well as natural reason, still, he had such a predominating sense of justice that he was sometimes led to the very verge of the law in his effort to decide a case upon its particular right.

Of course, we of the Bar know nothing of Judge Moncure's conduct in conference, but all of us can speak of the kindness of his manner in leading the public business of the court, of his gentleness in imposing any restraint whenever it was necessary, of his noble courtesy, of his patience in hearing counsel, even when they were extravagant. How often have we seen him, as much out of kindness to the advocate as from a desire that the case might be thoroughly sifted, almost fain doubts, or put questions which would lead counsel to the pith of the case. In the same spirit he adopted the opinion of Lord Kenyon, that it was "the duty of every court to administer justice as well as could be between litigating parties, and that another and not less material duty was to satisfy these parties that the

## Library of Congress

whole case had been examined and considered.” Acting upon this view, it may be, and doubtless is true, that some of his opinions, especially in his later years, are too much in detail and too prolix in the discussion of facts when tested by the best models; but this very natural fault grew out of NO DESIRE TO DISPLAY, but resulted from a purpose to show to all interested in the controversy that he had not overlooked any material fact.

Judge Moncure never turned out of his way for figures of speech or rhetorical adornment. He clearly stated, in a transparent style and vigorous words, what he clearly saw, and with that was content. He made no claim to classical taste or acquirement, or to any superior literary excellence. Indeed, it must be admitted that in his forensic efforts he displayed but little of what is called in these days oratory, and in his judicial opinions the student who seeks the classic eloquence of Lord Stowell or the polished rhetoric of Chief-Justice Gibson will be disappointed. He was too direct and too impetuous for any such finery.

THE FULL STREAM of his thought never loitered on its way to make eddies, but rushed directly to its end. So intent was he about this that if any one had brought against him, with any degree of truth, the accusation that he 137 had preferred ornament to substance, he would have felt that he had been untrue to his great office. He never thought of display, and seemed unconscious that he had the power to make any.

One of his judicial characteristics was his devotion to his native Commonwealth. It was almost a passion with him. In every controversy in which her honor, her interests, or her prosperity was concerned, he came to the front as her guardian and protector and with fervor that sprung from instinct, and was made more intense by habit. It made no difference whether it was an assault by bad men from within upon her penal statutes, or an encroachment from without on her dignity or honor, he stood at the gate “with flaming sword, which turned every way.” He was A MAGISTRATE OF DAUNTLESS COURAGE — a courage which, as Carlyle says of Henry Irving, was not “pugnacious nor ferocious, but as of the generous war-horse, gentle in strength, yet that laughs at the shaking of the spear.” No terror or force could overawe him. He would have gone to the stake rather than

## Library of Congress

recant a judgment in which he had, to his own satisfaction, established a right or defended a principle.

In thus depicting Judge Moncure's judicial life I have not indulged in what is so natural, but yet too common, indiscriminate praise. No human figure is all of gold, and I have not pretended to present him as such. But I do mean to say, and perhaps no higher eulogium could be pronounced, that if he could have had an enemy, who would undertake to write his biography with any regard to truth, he would be compelled, in spite of any private malice, to present a figure of unblemished integrity, purity, and inflexible purpose to do right, as of a man living consciously under his Maker's eye.

Turning from his judicial life, I desire to speak a few words of him AS A MAN.

What is ordinarily called pleasure had but very little charm for him. He took greater delight in disentangling a record, or in following the run of a principle through the books, than he could have felt as an honored guest in a king's palace. He was wonderfully simple and domestic in his tastes, preferring the routine of his own home and the attractions of his household to the hospitality and feasts of his most valued friends.

So direct was his mind, and so intent was he about the duties and 138 issues of life, that he never perceived a jest, unless he was led up to it and elaborate explanation made; but yet, without contradiction, no soul was more genial than his, no one's laughter more hearty, and no man's sympathies more quickly kindled. He had a genuine urbanity and delightful unreserve which gave a charm and beauty to his daily life.

But the most distinguishing characteristic of Judge Moncure was his simplicity. It might be called massive, not only in the material of the structure, but also in its style and order. And that simplicity was made more noble and beautiful by reason of his unconsciousness of the fact. If he had speculated or built upon it, or, indeed, if he had been aware of it, it would have lost much of its charm. It attended him as closely as his shadow—nay, more so, for that follows, while the grace to which I have referred sat upon him like a glory. It was a

## Library of Congress

characteristic as well known to all the classes of the people with whom he had intercourse as to his brethren of the Bench and Bar. It was never thrown off. He could not have done so had he tried. I have dwelt thus long on this trait of his, because it is so rare with those who have had much to do with men and their affairs, public and private, and still rarer to be seen anywhere in such unconscious beauty.

Yet, notwithstanding all I have said, I have heard that in his youth and early manhood he was of hot temper and easily provoked to wrath. We who have seen him on the bench, not frequently perhaps, but now and then, when he was delivering *ore tenus* a dissenting opinion in a case where he had caught fire, can well understand how this statement can be true.

HIS TEMPERAMENT WAS ARDENT, and his nature fervid, and on occasions, even in his later years, he would break into vehement speech. But however he might kindle, there was never malice or any uncharitableness in these utterances, and he was never moved even to them, unless he believed that some great and valuable principle of the law had been disregarded, or that some personal right had been invaded.

The truth of the matter is that Judge Moncure, having become in early life a Christian disciple, his volcanic nature was presided over and controlled by a supernatural grace—by a divine power which stooped from the heavens and lifted him above his natural plane. His faith was simple and reverent—not a cloudy obstruction, nor even a succession of gleams followed by darkness, but something that glowed with the celestial radiance of a perfect day. Perhaps no man that ever lived was more absolutely free from doubt or indecision as to the matters which pertained to his lasting peace than Judge Moncure. He put his hand into that of his Eternal Father with all the filial trust and confidence of a little child, and thus, far more than by his original nature, was held to duty with all the precision with which gravitation holds a planet in its sweep.

## Library of Congress

The Roman poet says: "Pallida mors, æquo pulsar pede, pauperum tabernas, Regumque tures;" but Judge Moncure himself, without a tremor, knocked at the door of Death, not complainingly, or indeed with any assertion of self, but in reverent submission to the will of God. The shadows had been long gathered about him, each day deepening the gloom, and the plaintive cry was wrung from him by bodily anguish that the darkening twilight might close at once in night. But even in this the sensitive soul feared that he might show a lack of submission to the divine will. The release came in its appointed time, welcomed by no one as by him—"the silver cord was loosed and the golden bowl broken." Let us thank God that He gave to the country such a patriot, to the State such a citizen, to the administration of the law such a magistrate, and to those that loved him, such a friend.

"Crown me with flowers," cried Mirabeau in his last hour, and loving friends brought them. But our elder brother needed no human hands to bring him garlands, for GOD HAD ALREADY CROWNED HIM, and out of a pure and noble life had already sprung eternal flowers, which bloomed not only on earth, but were glorious enough to be transplanted from that quiet Stafford death-bed to the celestial gardens.

Though a senior to all of us, he has preceded us but a little. The hearts of even the youngest of us are but "muffled drums, beating funeral dirges to the grave." Even while we are viewing the procession of the dead, the order comes for us to fall in. And now, in this moment, when I am speaking the last words which I will ever utter in the presence of this court, as it is now formed, I can express no better hope for Bench and Bar than that when our summons comes we may receive and welcome it as did our friend and chief.

ADDRESS OF REV. DR. HOGE AT THE FUNERAL OF JUDGE ROBERT OULD, *Second Presbyterian Church, Sunday, December 17 th, 1882.*

The funeral of Judge Robert Ould took place from the Second Presbyterian Church in this city at 2½ o'clock P. M. on Sunday, December 17th, 1882. A great concourse of people were assembled to do honor to the memory of the illustrious deceased. The services were

## Library of Congress

conducted by the Rev. Dr. Hoge, assisted by the Rev. Dr. Peterkin and the Rev. Dr. J. L. M. Curry. The following is a report of the remarks made by Dr. Hoge on the occasion:

Were a total stranger to this city, ignorant of all that had occurred in it during the past week, now to enter this church, he could not look around him for a single moment without being impressed by the fact that some event of more than ordinary interest was now absorbing the minds and affecting the hearts of our people.

This vast assembly, so hushed and still, these badges of mourning, these tears, not only of bereaved relatives, but of a bereaved community, would tell him in a language more impressive than words that to-day we altogether constitute one household, smitten of God and afflicted and needing consolation.

It is not true that out of the abundance of the heart a ready utterance always comes. There are times when the very fullness of emotion makes silence more natural than speech. When men stand in the presence of appalling danger their words are few. In the midst of overwhelming sorrow they are dumb. "I opened not my mouth because thou didst it." When God makes some soul-subduing manifestation of himself, he seems to say, "Be still, and know that I am God."

My friends, I am troubled. Outside the circle of the immediate family, I am the most bereaved—the chief mourner. When I look upon this great, sorrowing assembly, and then remember whose dust it is that this coffin encloses, I feel like asking you to permit me to leave this pulpit and take my more appropriate place among those who weep beneath it. "Lord send me help from the sanctuary, and strengthen me out of Zion."

141

It is not my custom to make funeral addresses. If I deviate from this now, it is because of the assurance I have received that there is a pent-up feeling in the whole community that demands some expression, and that such expression would be a relief even to those most nearly touched by this bereavement. I shall have your sympathy while I attempt to give

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vent to these struggling emotions, and all the more if what I say is not so much a tribute to the man, the friend, the brother, for whom we mourn, as to the grace of God which was magnified in his life and in his death.

The child of eminently pious parents, never even in the days when the gay world with its enticements, its ambitions, and its pleasures most possessed him, did he wholly forget the example, the prayers and the instructions of those who consecrated him to God at his birth.

In early life he chose the profession which he preferred to all others, save one, which in later life he ranked above it, and his choice was a noble one. "Our human laws," says a modern writer, "are but copies, more or less perfect, of the eternal laws, as far as we can read them." Law has been called the perfection of reason. It is the visible impersonation of justice, the tangible embodiment of right. It touches society at every point; guards property, life, and character; it curbs license, protects the feeble, honors good faith, circumvents fraud, and binds the turbulent in chains. It secures social order, shields domestic happiness, and makes national prosperity possible. Such was the noble profession of his choice.

How well he discharged the duties of his high calling, with what fearlessness, with what fidelity, with what success, will be told in another place; and honored will be the man who, at the command of Bench and Bar, will place on record for the instruction of the profession in all coming time an adequate tribute to Judge Robert Ould, as an instructive illustration of what distinction may be won when genius, learning, industry, and personal honor are the constituent elements of success and the sure guarantees of the eminence which will be accorded to one who possesses these characteristics, by all the legal tribunals of this Commonwealth.



## Library of Congress

But, my friends, to-day our concern is not with the laurels of earth, or the monuments which genius erects for itself, but with the interests which pertain to a higher life, and with the judgments which belong to a higher tribunal.

i

The most pathetic of the ancient prophets on a certain occasion, exclaimed, "How is the strong staff broken and the beautiful rod." Manly, physical strength and the fairest creations of human intellect are frail at best and evanescent. "Thy rod, thy staff," cried one of the greatest American statesmen in a dying hour, "that is what I want." The staff of the Lord, our Shepherd, alone is strong. His rod, like that of Aaron, is the only one that buds and bears perennial blossoms. All other dependences are but as the frail web that the spider weaves across the chasm. All the glory of man is but the flower of the grass. All the posthumous honors, won by human toil and talent, bring no joy to the heart which lies still and chill in the coffin, and all the music of the world's applause cannot penetrate the dull cold ear of death. The honor which God confers on those who serve him, and the glory to which he summons the redeemed soul, alone are endearing and satisfying. It is only the sweet remembrance of what God's grace did for my departed friend and brother that gives me comfort to-day, and this remembrance alone gives me strength to pay this tribute of tender affection. It is not of the jurist that I would speak, eminent as he was in his profession, nor of the man, attractive as he was by his virtues, but of the Christian, the servant of Christ, and for His sake the servant of the Church he loved.

I cannot better refer to the great and eventful change in his life—a change that gave a new direction to his whole future—than in his own words. On Christmas day, 1870, he sent me as a keepsake a volume recently published by a distinguished divine. In the round, dear hand which he wrote, he covered the whole of the first fly-leaf of the book with an inscription, the first sentence of which was this: "I desire to record in this Christmas offering the fact—the supremest in my life—that just one year ago the Spirit of God led me to your ministry. I do so in this form in the hope that it may the more readily meet

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your eyes in future days, perhaps when I am no more." What follows is too delicately personal for repetition, but it is a grateful record of the spiritual experiences of that memorial year. From that day to this I have known him in his public and in his private walks; known him in his joys and sorrows; known him when success crowned his labors and when disappointment chilled his hopes; known him when misrepresentation assailed his good name, and when with a magnanimity which was as rare as it was beautiful, he chose to suffer in silence, assured that God, in his own good time, would bring forth his righteousness as the light and his judgment as the noonday. I have known him as a student of theology, taking it up after his conversion, as he would a new treatise on science or international law, and mastering it as few divines in the pulpit have done; known him as a student of polemics and church government, coming to an unalterable conclusion as to the Scriptural origin of the creeds and confessions of the church of his choice; known him in the humble, but in his esteem, the honored office of superintendent of a Mission Sunday-School in the suburbs of the city; known him as a teacher of a Bible Class for which he began to prepare his lectures on Monday morning lest the pressure of professional duties should hinder him at the close of the week; known him as an office-bearer in the church, giving to his pastor all the hearty co-operation, encouragement and support which a man of his clear judgment and generous nature was so capable of rendering; known him as a devout and regular attendant on all the services of the church on the Sabbath and during the week, in heat and cold, in sunshine and storm, even when failing health rendered such regular attendance difficult and hazardous; known him as the friend of the poor, and the generous contributor to all the enterprises of Christian benevolence; known him as a member of ecclesiastical courts, always heard with deference when he spoke because of his familiarity with ecclesiastical law, and his fair, lucid and conciliating style of discussion; known him as a friend congenial to my intellect and heart, loyal, true, and loving; known him as an appreciative hearer, never listening critically, captiously or distrustfully, but giving me his fullest sympathy and confidence, so that he was to me (none of you will misunderstand what I mean) as it were, an audience in himself. And now that I shall no more see him coming with slow and measured step along

## Library of Congress

that aisle, no more look upon his calm and placid face, full of light and loving-kindness, I feel like this church hereafter cannot be to me all that it has been since 1870.

I hasten to the close. I was absent from the city when the mortal chill seized him. When I entered his chamber on my return and expressed my concern at finding him so ill, he smiled and quietly said, "You came near losing one of your Elders last night." Little did I think when I kneeled and commended him to God, that this was my last interview. The next morning I lost him—oh, no, not that—if iii heaven found him, and if while walking with God, he was not, because God took him.

His departure was sudden, but sudden death is sudden glory to the Christian. It seems to bring the eternal world nearer when one makes the transition from earth to heaven by a single step. When one dies by long and lingering illness, it interposes, as it were, a wide and dreary territory between the two worlds, like a broad and barren beach of sand between cultivated fields and the ocean. Not so when the green grass comes down to the very margin of the blue water and is kissed by its rippling waves. Not so when the spirit with a bound leaves its encumbering clay. Then heaven is not distant but near; a door in the very house we live in, a door in the very house we die in, suddenly opens, and in an instant we are in a house not made with hands, eternal in the heavens.

It is touching and impressive to remember that the last effort of his noble intellect and loving heart was in portraying the character and commemorating the virtues of the lamented Judge Moncure—who wore his ermine spotless until he put on brighter robes in heaven—and that in so doing he was unconsciously pronouncing his own eulogy. That tribute to the pure and incorruptible Judge, spread upon the records of the court, will form a part of the judicial history of the Commonwealth, and will go down to other generations as the testimony of the lawyers and judges of our time, to the superior dignity and worth of moral excellence above all the adventitious advantages of birth, wealth and power—a testimony not from theologians and the editors of religious journals, but from judges and lawyers to the nobility of a life whose foundations were laid in Christian faith, and whose

## Library of Congress

superstructure was a harmonious and symmetrical development of Christian manhood, and thus to compel even the frivolous and profane to feel "how awful goodness is," and see "virtue in her own shape how lovely."

The pause he made when he said, "This is the last time I shall ever address this court," before he added "as it is now constituted," was prophetic. The assertion that, "as we review the procession of the dead the order comes for us to fall in," is now historic.

I have said we shall see our friend no more, but I recall the words, for—

iv

"Hope looks beyond the bounds of time, When what we now deplore Shall rise in full immortal prime, And bloom to fade no more."

We consign these mortal remains to the tomb in the sure and certain hope of resurrection. We part awhile from this chastened spirit, but in the midst of our grief we are glad that the ties which bind us to those who die in the Lord are not severed by the stroke of death, but that these Christian friendships, cemented by the love of Christ, shall have a resurrection beyond the grave, and spring up and flourish beautiful and immortal in the paradise of God. We will regain our departed friends in the land of re-union, recognition, and communion, in glory everlasting, and so we may say, though with voices made tremulous with emotion, "Glory be to the Father, and to the Son, and to the Holy Ghost; as it was in the beginning, is now, and ever shall be, world without end. Amen."

PROCEEDINGS OF THE BIBLE CLASSES *Of the Second Presbyterian Church Relative to the Death of* JUDGE ROBERT OULD.

Pursuant to an invitation of the Bible Class of the late Hon. Robert Ould, LL. D., a joint meeting of all the Bible Classes of the Second Presbyterian Church was held in the north gallery of the Church, Sunday morning, December 31, 1882.

## Library of Congress

Hon. George L. Christian was called to the chair and Mr. G. Watson James was made Secretary. The Chairman stated that the object of the meeting was to take action touching the death of Judge Ould.

Mr. James Pleasants, who, at the request of the Chair, had consented to draft a memorial, after paying a brief and touching tribute to the memory of the deceased, submitted the following:

*Resolved*, 1. That in the death of Judge Ould the members of his Bible Class have sustained an incalculable loss. We honored, admired and loved him. He excelled as a teacher of the Bible; his great talents nowhere shone more conspicuously. He brought to the task not only eminent moral qualifications, such as untiring zeal, gentleness and patience of temper, a courteous bearing and a faithfulness "unto death," but abilities and accomplishments of a very high order. He was a profound thinker, and his well-trained and vigorous intellect had been ripened by culture and scholarship. He was intimately versed in the knowledge of the Scriptures and a devout believer in their teachings, and his studies had taken a wide range through the fields of theology and Biblical learning. His well-known brilliant powers of eloquence and debate, both as a speaker and a writer, lent to his discourses and essays on the grand and solemn themes of Holy Writ the charms of style and oratory; he always handled those themes with the skill and ability of a master, convincing the understanding and persuading the heart.

*Resolved*, 2. That we, for whose good he discharged during many years his "work of faith" and "labor of love" in the cause of his beloved Lord, feel that ours is a peculiarly tender sorrow, beyond our common grief with the citizens of this community and the members of this Church. The relations between him and us were so friendly and cordial; our communion was of so sacred and sweet a nature, and the tie between us so strong and holy, and our intercourse so easy and delightful, that, like the Ephesian brethren of old on taking their last leave of Paul at Miletus, we would weep sore, sorrowing most of all that we shall see his face no more. And in this hallowed place, where he delighted to

## Library of Congress

gather us around him, and had so endeared himself to us by his loving-kindness and self-sacrifice—where he “Allured to brighter worlds and led the way,” would we record our lasting appreciation of his preeminent worth, our gratitude for his labors and our affection for his memory.

*Resolved*, 3. That the works of Robert Ould, consisting of his discourses, and essays and lectures before this class, would form a valuable addition to Biblical literature and learning, and should live after him; and we request of his literary executor their publication for the good of mankind.

*Resolved*, 4. That a copy of these proceedings be given to the widow and family of our lamented teacher, and another to the session of this Church, with a request that they may be spread on their minutes.

Dr. George W. Harris moved to amend the resolutions so as to embody a request that the proceedings of the meeting be published in the “Central Presbyterian.”

On a motion of Mr. James, seconded by Mr. S. H. Hawes, the resolutions, as amended, were unanimously adopted.

Adjourned.

Geo. L. Christian, *Chairman*.

G. Watson James, *Secretary*.

## APPENDIX.

By Mr. Booth, previously referred to:

Being the only living associate of Judge Moncure on that Revision Committee of the House of Delegates in 1849, (Mr. Ambler the only one of the Senate,) it has been deemed

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appropriate and important, and expressly suggested and impressed by Judge Ould, that I should vi present and thus perpetuate any incidents and concomitants entwined and interwoven in the history and associations of that great and good man; his legal fame and subsequent promotion emanating from his connection and paramount achievements in what others have pronounced the best code of laws the State ever had—and thus the circumstances of its preparation of value in any subsequent exigency of similar character.

I will first state that it was a much better Code when it passed from the committee than from the Legislature, and I do not think I can enforce a more important injunction, that never again should a code of laws be submitted to the ratification of a promiscuous assemblage of one hundred and thirty-five persons, some not highly skilled in the rudiments of the inferior sciences. Some, with officious pretensions in proposed alterations or amendments, would excite prejudices against the explanations and protection of the committee by the remark, “It is your work, and, of course, we do not expect your concurrence in any amendments,” and thus succeeded in mutations and mutilations. The strong-minded Vincent Witcher was put on that committee, as General Scott, speaker of the Senate, told me, in representation and protection of the county courts and common people, and most faithfully did he discharge the trust confided to him. He might well be regarded one of nature's noblemen, a “Native born Demosthenes,” though it is said he was late in life learning the orthography of the English language, though able to use it more effectively than some of the most learned scholars. He was the hardest man to *beat out* of any position he once took I ever saw, or ever expect to see again, though pleasant and courteous in all his demonstrations, and a favorite with the committee.

He made war against every Latin word requiring satisfactory explanation of full meaning in all its ramifications.

When beaten on motion to strike out the words “bona fide,” he quietly left the Senate chamber where we were then sitting, and after considerable absence, I well recollect his tall form as he opened the door on his return, seeming to be elongated several inches, and

## Library of Congress

with magnificent air of triumph vociferated, "Gentlemen, I have examined every dictionary in the library, and the words bona fide are not in one of them."

The words "bonus" and "fides" never occurred to him. It was very really amusing to see the chairman attempting to explain and illustrate the meaning and derivation of these Latin words. He was generally *tolerably* successful until he came to the words "mutatis mutandis, de bene esse," etc. Ghastly ghosts with gory locks could scarcely have presented a more frightful apparition. It must be admitted the chairman had all he could do to the extent of his prolific resources, and a *little more*, but never losing his equanimity and good temper. I was really not aware myself of the difficulty of such explanation to the unsophisticated in such language. However, the things to be changed, as he thought, were not changed. But in the efforts of the committee to withdraw the intricacies of litigation from the county courts and transfer them to the superior courts, and simplify the proceedings by motion, etc., were much mutilated, and, I may say, destroyed. I never attempted it in my practice but once, and it then seemed so disjointed and unintelligible that I never repeated it. By way of putting it in better hands I gave my book, with original draft and marginal notes of the different phrases, to my learned friend James Alfred Jones, and have no doubt he could devise proceedings preferable to either. But we must make the best of such matters, and leave them where we find them.

It was in this session of the Legislature, with which Judge Moncure was so prominently connected, that what were known as the "all hazards and last extremity resolutions" were discussed, and in which the transcendent abilities of Robt. E. Scott shone with such surpassing brilliancy. With a personal courage unknown to Julius Cæsar (costing his valuable life, perhaps), he had to repel the taunts of timidity from those who were for going out before breakfast and never returned to be heard amidst the trumpet's clangor and the cannon's roar. Men in earnest about fighting, and mean to stand up to it, never spoil for it, however—they may spoil the fight. Those gallant men at Chancellorsville, so



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eloquently and thrillingly described by General Fitz Lee, required and possessed more than an effervescence to support their heroic bravery and unrivalled achievements.

Well do I recollect Mr. Scott's poised, extended arm, his handsome, radiant, determined countenance, flashing eye (his accurate photograph before me as I write), as he portrayed and expressed how he thought he could stand up in a cause sustained by all the elements of deliberation and forbearance, and determined to bear the consequences in exigencies viii of final resort. His power seemed sufficient to shake a mountain. He was immediately followed and ably sustained by John A. Thompson, Esq. The angry, foaming current had become too strong for effective resistance.

Judge Moncure, I think, being so engaged otherwise, did not fully embark amongst these raging whitecaps, and not in full accord with party affiliations. He was fully alive to all the requirements for the interests of his section and constituents in questions pertaining to them—failing in protection in what he regarded the blighting effects of some conflicting railroad enterprise. In addition to those intellectual giants previously named, that Legislature presented a galaxy that would glitter in any position they might occupy. No ordinary man could exhibit any special effulgence amongst such luminaries or actors. The present living roll-call is thus fully illustrative, embracing the names of Faulkner, Thompson, Barbour, Thomas, Shelley, Watson, Wythe Co. Price, Fairfax, Ferguson, Laidley, Boyd, Dorman, Critcher, Rogers, Finney, Ambler, McCue, Burwell, Irving, Chapman—others, perhaps, not occurring to me in hasty enumeration, and others deceased equally meritorious. I have not designed to be discriminating or exclusive in any selection of names. I might thus embrace as a member of that committee, as almost a part or counterpart of Judge Moncure himself, in Judge Conway—really a brother-in-law, I believe, ( *par nobile fratrum* )—of most exemplary Christian devotion and excellence, and general desirable attainments, he and Judge Moncure concurring in politics and differing from the majority of the committee, but never, that I am aware of, exciting a word of political dissension, all at times uniting in Mr. Scott's social parental mansion, exhibiting the fountain of his intellectual power with the amenities of real elevation. Indeed, there

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was never anything approaching the appellation of *cold* except some delightful ice-cream, for which I strongly suspected that Mrs. Conway Robinson was responsible, and exciting *warm* commendation and appreciation.

Neither in debate or elsewhere did Judge Moncure have any use for what the world calls bravery, bravado, pugnacity, etc. He might have lived a thousand years and never given or received any such offence or occasion. Nor did he have any fear unless the fear of that in “fearing which there's nothing else to fear.” All this may be fully illustrated in the sentiment

—

ix

“I saw the martyr at the stake, And not fierce flames his faith could shake, Nor death his soul appal. I asked him whence such strength was given? He looked triumphantly to Heaven, And answered, Christ is all.”

As long as he felt it was his duty to be in Richmond he didn't fear the cholera any more than he did his breakfast. And here he and Mr. Witcher came in direct and somewhat amusing conflict and contrast. While Judge Moncure with great dignity, solemnity and earnestness was uttering the expression, “The path of duty is the path of safety—trust in God,” Mr. Witcher told the anecdote of a good, pious old lady in his section, a great devotee to Providence and Providential dispensations. He said the horse hitched to a buggy ran away with her, and she afterwards said she trusted in Providence till the breeching broke, and then she gave up. He said he trusted in Providence till the cholera came, and then he gave up; and he carried the Legislature and Judge Moncure with it to Fauquier Springs.

But except that I am now detailing the incidents of Judge Moncure's associations, so interwoven with these occurrences as to defy elimination, and in the conclusion which any one can read or not, some of these presentations might be regarded a digression.

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In connection with the resolutions to which I have referred, incidental conferences with such as Hons. Thos. Ewing, Samuel F. Vinton, John J. Crittenden, Sherman Seward, Mr. Lincoln's favor for Robt. E. Scott, Esq., as Cabinet officer, in protection and satisfaction of the South; corresponding resolutions in the handwriting of Thos. Ewing, presented to a committee of the Legislature by Judge Henry W. Thomas, might be profitable subjects for allusion for future benefit, a sufficient length of time having elapsed for the consideration and indulgence of calm and deliberate meditation.

They might be considered unsuited to the present contemplation and open wounds it were better to cicatrize, Gov. A. H. Stephens having with great ability and research written two volumes of "War between the States."

Not so with Judge Ould. The wounds are too fresh, bleeding too profusely; the dirges sounding too solemnly and extensively for any general historical biography.

x

Little did we think when returning together from the bar meeting for Judge Moncure, and when suggesting the appropriateness of my present occupation, how soon similar lamentations and appreciations would be expressed for him. Truly, "in the midst of life we are in death." We had recently been associated at his own house in animated and elevated bridal festivities; at his own private table, with charming surroundings; in his own pew, under exalted ministrations. We were Elders in the same church, had associated as representatives in the same judicatories, had taken "sweet counsel and walked to the house of God together," realizing—

"Tis pleasant in our pilgrimage, In fair or stormy weather, To meet a traveler Zion bound, And journey on together."

His eloquent, impressive enunciations in presenting the resolutions of the bar meeting to the Court of Appeals were the re-echoing and reverberations of himself. In the beautiful,

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eloquent, expressive words of Judge Sheffey, addressed to another—"I feel deeply with you in connection with all that pertains to that great and good man whose eulogy Ould so recently pronounced with burning eloquence and then died. It would seem that in gazing upward, where Moncure had gone before, the attraction was irresistible, and Ould was drawn up too. Two pure, bright lights extinguished on earth, but still shining in heaven."

It was once, at least, the prevailing impression that the profession of the law was unfavorable to the profession of religion. I can only say, that with Judge John Tayloe Lomax as a preceptor in the rudiments of the law, and Judge Moncure as chairman of a committee revising the laws, and other distinguished judges and lawyers I could name, and have named, and may name, no brighter illustrations of Christian excellence and perfection need be presented effectually to refute such misconception. Indeed, in a former production on the "Personality of the Holy Spirit," written chiefly during the war for the souls of the Confederate prisoners, while supplying their bodies, I remarked: "This *personification* or reality by faith should enliven every occupation or profession, especially that accustoming its votaries to the association of a judge—a judgment seat, a bar, advocate, trial, judgment, penalty, final decree." What surer guaranty of justice, xi fidelity, integrity and propriety in a judge or advocate than the impressive and abiding conviction that he may become the subject of similar proceedings in a court from which there is no appeal from the sentence "Depart ye cursed," or "Well done, good and faithful servant," etc. And when the trembling convict retires under the affecting and despairing benediction, "May the Lord have mercy upon you," what an opportunity for *personifying* the expression of the martyr John Bradford under similar exhibition. "There goes John Bradford, but for the grace of God," or the similar expression of John Bunyan in reference to the profane swearer. The written commendations of these and similar sentiments are appended in the little tract or treatise containing them, by the eminent Christian Supreme Court Chief Justices Woodward and Sharswood, of Pennsylvania, and Judge Strong, of the Supreme Court of the United States, and others, as well as most distinguished divines.

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General Wm. H. Broadnax, of Dinwiddie county, and Gov. Gilmer, of Albemarle county, Va., were members of the Virginia Legislature at the same time, and boarded at the same house. Another member, fond of gaming, etc., boarded with them there. He said, when he came to his breakfast with loss of sleep, appetite, and with other uncomfortable annoyances, and saw his two associates come in with smiling countenances and their elegant, polished, happy manifestations, he could not stand it, and went to them in consultation, perhaps, or their actions spoke louder than words; and the consequence was he certainly became a member and, I think, died an Elder in the Presbyterian Church.

General Brodnax died calmly at his home in the zenith of professional fame and popularity, surrounded by all the comforts and embellishments of life, remarking on the morning of his death, it was the most important court he was ever required to attend; but left to his choice, he preferred to attend the court of heaven, and was gratified.

Governor Gilmer had no such warning, and needed none. But oh! how unspeakably important the necessity of preparation exhibited in an event which cast a whole nation into mourning. So far from digression, these illustrations follow irresistibly in the wake and presentations exhibited for the distinguished individuals referred to in the public remarks that have occurred, and others likely to occur, as to them and others alluded to. What now remains of the mighty warriors, xii statesmen, and others who have lived and died without this faith?—perhaps only weeping, wailing and gnashing of teeth. It is said that Sir Walter Scott, who had electrified the world by his books, when on his dying bed desired waiting companions to read to him. They inquired from what book? He replied there was but one book in the world, and that was the Bible.

On such occasions there are sentiments and feelings too big for utterance, as with Judge Anderson following Judge Ould—overwhelmed by such effort and emotions for his dear old friend and associate. I can only conclude with the exclamation: Farewell, dear friends; we shall never again meet on earth. But as this whole life compared with eternity is but

a twinkling, the aching interval is scarcely long enough for a parting salutation. And as to those who remain—

“Then let us each in strength divine Still walk in wisdom's ways, That we and those we love may join In never ceasing praise. The good shall meet above, The good shall meet above. Oh! that will be joyful, Oh! that will be joyful, To meet to part no more.”

142

## THE NEW AND HIGHER LIFE.

### PERSONALITY OF THE HOLY SPIRIT, AND KINDRED SUBJECTS.

There is no subject of more frequent meditation, discussion, and enjoyment, in the pulpit and among Christians, than that of the Holy Spirit. He may be regarded as the life of all such exercises, and without Him, they would only be dragging along with irksomeness and groaning—the loathing remains of a “dead body.” It is not pretended then, to exhibit to contemplation any new subject, unless in a particular aspect, nor to claim any superior attainments in this most important department. Those, really of the most merited pretensions in this respect, are generally the most humble in their claims. The nearer they approach to the fountain of all light and wisdom, the greater is the contrast of their own deformities. They are inclined in such circumstances to adopt the language of Job, “I have heard of Thee by the hearing of the ear—but now mine eye *seeth* Thee. *Wherefore*, I abhor myself and repent in dust and ashes.”

It can then be with no impulses of vanity and presumption, that such a topic should be selected for discussion. Though we may not be heard for our much Speaking, still we may desire the indulgence of a privilege, an enjoyment “sweeter than honey, or the honey-comb.” How comforting, how beautiful, to regard Him indeed, as a “Comforter, a Preserver, a Deliverer, a bountiful Benefactor.” While this is a privilege, imparting unspeakable joy to every believing heart, still the human mind is so constituted, as to fix and fasten upon different elements of enjoyment, and different hues and varieties in the same elements.

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How delightful, how profitable, thus to compare, illustrate, and enforce the blessings and advantages of such communion with those of like feelings and passions with ourselves.

Devout Christians are somewhat “cast down, but not dismayed,” at a seeming progress of infidelity in the various forms of Spiritualism, public lectures in opposition to plain declarations of the Holy Scriptures concerning eternal punishment, and other momentous questions, challenges of public discussions, not meriting the dignity of acceptance<sup>143</sup> but justifying the wisdom of Gamaliel in the declaration, “refrain from these men, let them alone, for if this counsel or this work be of men, it will come to naught. But if it be of God, ye cannot overthrow it.” Even if future punishment be not eternal, there can be no harm in preparation for it, and with the least doubt or necessity for discussion, safety and discretion admonish such preparation. It is related that two scoffers at religion once looked on an assemblage of Christians rejoicing in hope of eternal felicity beyond the grave. Said one, “When these people die and find out there is no such place as heaven won't they be disappointed?” “But,” said the other, “if we find there is such a place as hell, won't we be in a bad fix?” And the remark is said to have caused his conversion. So if punishment is not eternal, the Christian is not harmed. But how sad the tare of those realizing differently!

Other discussions or elucidations merit higher and the highest consideration, now referring more particularly to what is termed “higher life,” there being, however, no conflict in this discussion fatal to contestants on either side, all being animated by the most commendable zeal in presenting the highest incentives to elevated Christian attainments, the different sentiments and explanations being only different auxiliaries toward this higher life, and if the happy goal be beyond full fruition in this life, all unite in urging the nearest practicable approximation.

The most recent elevated productions on these subjects are from Rev. Dr. H. A. Boardman, of Philadelphia, and Rev. Dr. A. W. Pitzer, now of Washington City, formerly of Virginia; the first styled “The Higher Life Doctrine of Sanctification,” the latter “New Life not the Higher Life.” It is not remarkable there should be such a correspondence or sentiment

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and expression between such eminent divines, the value of their productions exhibited in protecting the comfort and composure of those less pretentious than some claiming an elevation disturbing to those building on a lower, and thus firmer foundation. Only a few extracts are given, to afford appetite and relish for all to be found in those valuable and interesting presentations. From the first (Dr. Boardman's), prefacing an extract from "Edwards on the Affections," page 220:—

"It may be remarked as infallibly true, that the person who upon comparing himself with others, is apt to think himself a very eminent saint, much distinguished in Christian experience; and in whom this is a leading thought, often recurring, is certainly mistaken. . . . A truly eminent saint is not disposed to think himself eminent in anything; all his experience and graces appear to him comparatively small, especially his humility. There is nothing belonging to his experience so much out of sight as this grace."

Then again, page 283, after other authorities—

"The witnesses from whom we have now heard, detail, each one, an experience which must stand or fall with that of the apostle in the seventh and eighth of Romans. There is not the slightest reason to apprehend that it will be stigmatized as 'God-dishonoring' by any one who has not been ensnared by the Higher Life delusion. To claim as those writers virtually do (V. chap. I.), that the true doctrine of sanctification has been revealed to them, but was hidden from Christians whose names make up the brightest constellations in the Church's firmament, does not savor of any excessive humility. Indeed, we sadly miss in their books those ample traces, which it would be pleasant to meet, of this pre-eminently Christian grace. Considering how largely they discourse of self, it is surprising how little they have to say of their sins. It would be a refreshing alternation to fall now and then upon a passage in which confession of ill-desert, self-reproaches, godly sorrow for sin, and aspirations for deliverance from the law of sin and death, might admit us to a godly fellowship with them. But this may not be. They are traveling on a plane so far above that



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of ordinary pilgrims that there can be little intercommunion until they all reach the final goal.”

“It is not intended, by these remarks, to encourage Christians in doubting. There is far too much of doubting, and far too little of taking God at his word. It is sound advice, too, to bid the wavering disciple cast himself anew at the Saviour's feet, and embrace him as his all-sufficient and all-willing Deliverer. Better still if a word or two had been added, reminding the hesitating soul that the only way to return to Christ and recover peace and comfort is to pray earnestly for the enlightening, strengthening aid of the Holy Spirit.”

From the work of Dr. Pitzer, prefacing from “Dr. Charles Hodge, an aged, wise, learned, and experienced Christian (page 59), speaking of the believer,” says:—

“His selfishness, pride, discontent, worldliness, still cleave to and 145 torment him; they effectually prevent him from doing the good that he would; they prevent his living without sin; they prevent, his intercourse with Christ being as intimate and uninterrupted as he could and does desire. He finds not only that he is often, even daily, overcome so as to sin in thought, word, and deed, but also that his faith, love, zeal, and devotion are never such as to satisfy his own conscience, much less can they satisfy God. He is therefore daily called upon to confess, repent, and pray for forgiveness.”

Dr. Pitzer proceeds—

“Does any one claim to have attained Christian perfection, sinless, personal holiness? Then let him understand that this means that he has made all the progress that is possible in the new, Christ-given life; that the exhortation to *grow* in grace and to *increase* in knowledge has no application to him; that no further growth or increase is possible to him; that he is so much like Christ in heart and life, in word and act, the perfection of his likeness to Christ is so complete that it cannot by any power, human or divine, be made more like him. If any believer makes this claim, then let him ponder the fact that it was never made by Abraham, by Job, by Moses, by David, by Isaiah, by Peter, or by Paul;

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and the whole tenor of the writings of these men is to the end that they had not already attained, neither were already perfect.”

And on page 60—

“If the advocates of the ‘higher life’ have attained to *sinless, personal holiness*, then a very large part of God's word is perfectly useless to them. All that relates to the spiritual conflict, all the exhortations to grow in grace and to increase in knowledge, to mortify the deeds of the flesh, to confess sins, to draw near to God,—all these and thousands of others of similar import have no applicability to them. Nor have they any need for the constant priestly intercession of the Lord Jesus in the holiest place in the heavenly temple; sinless as he was and holy as he is, they are no longer in need of his almighty power, his ever-prevailing intercession. Even one clause of the Lord's Prayer must be omitted by the sinless ones, “Forgive us our debts.” No perfectly holy man, who is personally sinless, can with any sincerity offer this prayer, for he has no debts to God or man, and is free from all trespasses.

“This horrible result, when reached by true believers in our Lord 146 who advocate the higher life, must be due to one of the following causes:

“1st. Erroneous views of what is demanded of the believer. Perfection, as defined in the word of God, is loving God and our fellow-man supremely under all circumstances, at all times, in all places, and thinking and feeling and saying and doing all that we think, feel, say, and do with the desire and purpose to glorify God and to bless our fellow-men. Failure in any of these particulars, even for one moment, vitiates and destroys perfection. Do believers, who claim to have perfect personal holiness understand the meaning of the term ‘*perfection*,’ as defined in God's word?

“2d. Or it may result from not comprehending what is meant by ‘sanctification.’ If they mean only the perfection of the priestly act of consecration setting them apart to God, then there is no doubt as to the perfection of that act; if they mean the work of the Spirit in the

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believer, then that same Spirit shows them their sad mistake, in 2 Cor. iii. 18. 'We all with unveiled faces, beholding as in a burnished mirror the glory of the Lord, are changed into the same image *from glory to glory*, even as by the Spirit of the Lord;' and in 1 Thes. iv.1: 'Furthermore then we beseech you, brethren, and exhort you by the Lord Jesus, that as ye have received of us how ye ought to walk and to please God, so ye would abound more and more.'"

What an irresistible concurrence and affinity between eminent Christians from different sections of the country, but here uniting in one common current, sweeping away all opposition, and bearing on its strong and peaceful bosom to the haven of eternal rest, the ever-increasing ejaculations, "Glory to God in the highest, on earth peace and good-will to man." Whatever difference there might be on other questions, still, on the great cardinal doctrines of repentance, faith, Holy Spirit, regeneration, atoning blood, sovereign grace, substitution, adoption, etc., the concentration bids defiance to any encroaching diversity or invasion, realizing—

"'Tis pleasant in our pilgrimage, In fair or stormy weather, To meet a traveler Zion-bound, And journey on together."

The writer, as a *medium* between *holy* spirits North and South, has enjoyed opportunities of personal and ecclesiastical association with both of the authors of these recent productions, confirming such 147 impressions and favoring his own judgment, gratification, and improvement.

Any person familiar with their faithful ministration would about as soon criticise or contest the promulgations and precepts which St. Paul himself so zealously followed, the remark suggesting the incidents of a discussion between a Calvinist and an Arminian.

The Calvinist was plying, with irresistible force and effect, the doctrines of St. Paul, when the Arminian replied, "I know that Paul was a Calvinist, but I do not agree with Paul." Few

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would thus go so far in contesting the presentations of either. And still, on penetrating the sinuosities and inspiring and inspiriting the action of the human mind, different appliances from different sources may sometimes contribute to desirable consequences, not as controversy but as auxiliaries in the same common commendable consummation, It may appear incongruous that eminent Christians may seem to differ on the all-absorbing subject of the "higher life," perhaps more intelligibly presented by the word sanctification, and this apparent difference may give the world some vantage-ground for insidious attacks and denunciations. It is thus that benefit may result from any effort to reconcile these differences, that all may concentrate in one common phalanx against a common enemy, and it is only in this way that good is attempted in this production.

It is a trite remark that doctors differ and lawyers differ. But this difference results, in nine cases out of ten, more from disputed facts than disputed law. Somewhat so is it with divines. The difference is frequently in the *name*, however they may differ in non-essentials. Ask any evangelical Christian minister of any evangelical denomination, "What must I do to be saved?" How these differences vanish and give place to the essential elements of salvation. Instead of enunciating the *name*, let each present his meaning or *definition* of the term, and how will these animating and frequently acrimonious discussions retreat into a mere logomachy!

Apply this test or standard to the term higher life or sanctification, and how potent it becomes, and how desirable such potency! Whenever any person thus commences such discussion, the first requisite is to promulgate the precise definition of the term. The words higher life not appearing as such in any dictionary or special commentary, the substitute of Biblical terms corresponding in meaning may be 148 justifiable, and it is thus that the word sanctification is adopted, there being certainly such a thing from the existence of the term. The fairest exhibit is a *verbatim* quotation from the Bible and from dicnotaries of different denominations, as well as most approved standards se. The noun sanctification, from reliable concordance, occurs but four times in the Bible: 1. Corinthians i. 30, "But of him are ye in Christ Jesus who of God is made unto us wisdom and righteousness and

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sanctification and redemption.” 1. Thessalonians iv. 3, “For this is the will of God, even your sanctification that ye should abstain from fornication. 4. That every one of you should know how to possess his vessel in sanctification and honor.” 2. Thessalonians ii. 13, “But we are bound to give thanks always to God for you brethren, beloved of the Lord, because God hath from beginning chosen you to salvation through sanctification of the Spirit and belief of the truth.”

The verb “sanctify” seems to be used thirty-four times and “sanctified” about fifty times, and fully quoted.

Sanctification, *n.* [Lat. *sanctificatio*, Fr. *sanctification*, Pr. *sanctification*, Sp. *sanctificacion*, It. *santificazione*. ]

1. The act of sanctifying or making holy; or the state of being sanctified or made holy; the act of God's grace by which the affections of men are purified, or alienated from sin and the world, and exalted to a supreme love to God; also, the state of being thus purified or sanctified.

God hath, from the beginning, chosen you to salvation, through *sanctification* of the Spirit and belief of the truth.— *II. Thess. ii. 13.*

2. The act of consecrating, or of setting apart for a sacred purpose; consecration.

Sanctified (-fid), *p.a.* Made to have the air of sanctity; affectedly holy; sanctimonious;—used in contempt.

Sanctifier, *n.* One who sanctifies or makes holy; specifically, the Holy Spirit.

Sanctify, *v. t.* [*imp. & p. p.* SANCTIFIED; *p. pr. & vb. n.* SACTIFYING.] [Fr. *sanctifier*, Pr. *sanctifiar*, *sanctificar*, Sp. and Pg. *santificar*, [t. *santificare*, Lat. *sanctificare*, from *sanctus*, holy, and *facere*, to make.]

## Library of Congress

1. To make sacred or holy; to set apart to a holy or religious use; to consecrate by appropriate rites; to hallow.

God blessed the seventh day and *sanctified* it.— *Gen. ii. 3.*

Moses . . . *sanctified* Aaron and his garments.— *Levit, viii. 30.*

2. To make holy or free from sin; to cleanse from moral corruption and pollution; to make fit for the service of God, and the society and employments of heaven.

*Sanctify* them through thy truth; thy word is truth.— *John xvii. 17.*

3. To make efficient as the means of holiness; to render productive of holiness or piety.

Those judgments of God are the more welcome as a means which his mercy hath *sanctified* so to me as to make me repent of that unjust act.— *K. Charles.*

4. To impart sacredness, venerableness, inviolability, title to reference and respect, or the like, to; to secure from violation; to give sanction to.

149

The holy man, amazed at what he saw, Made haste to *sanctify* the bliss by law.— *Dryden.*  
Truth guards the poet, *sanctifies* the liue.— *Pope.*

Sanctifyingly, *adv.* In a manner or degree tending to sanctify or make holy.

To which may be added from other dictionaries, "The act of making holy." In an evangelical sense, the act of God's grace, by which the affections of men are purified or alienated from sin and the world, and exalted to a supreme love to God. Consecration of person or thing to God. The act of consecrating or of setting apart for a sacred purpose. To make holy or set apart for God.

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“In its evangelical sense it is the work of God's free grace, whereby we are renewed in the whole man after the image of God and are enabled more and more to die unto the world, and live unto righteousness. Although perfect sanctification should be desired and aimed at, yet all scripture and experience unite in regarding those men as deluded who imagine they have in this life attained it.”

Deliverance from all conscious sin, all known or intended or habitual sin. A full assurance of faith. “If we say we have no sin we deceive ourselves and the truth is not in us. If we sin we have an advocate,” etc.

### SANCTIFICATION.

I. *Cor.* i. 30. who of G. is made to us s.

I. *Thes.* iv. 3. will of G. even your s. 4. know how to possess vessel in s.

II. *Thes.* ii. 13. through s. of the Spirit.

### SANCTIFY. (I. *Pet.* i. 2.)

*Exod.* xiii. 2. s. unto me all first-born xix. 10. go and s. them to-day and 22. let the priests s. themselves 23. set bounds about mount, s. it xxviii. 41. anoint and s. Aaron and sons

xxix. 33. | xl. 13. *Lev.* viii. 12. | xxi. 8. xxix. 36. shalt s. the altar, 37. | xl. 10 44. I will s. tabernacle and altar xxx. 29. thou shalt s. the tabernacle, xl. 10, 11. *Lev.* viii. 11. xxxi. 13. I am the L. that doth s. you, *Lev.* xx. 8. | xxi. 8. *Exek.* xx. 12.

*Lev.* xi. 44. ye shall s. yourselves. xx. 7. *Num.* xi. 18. *Josh.* iii 5. vii. 13. I *Sam.* xvi. 5. xxi. 15. seed, I the Lord do s. him 23. I the L. do s. them, xxii. 9, 16. xxvii. 14. when a man sh. s. his house,

*Num.* xx. 12. believed me not, to s. me, xxvii. 14. ( *Neh.* xiii 23.

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*Deut.* v. 12. keep the Sabbath, to s. it. xv. 19. firstling males thou shalt s.

*Josh.* vii. 13. s. people, s. yourselves.

I. *Chr.* xv. 12. and said, s. yourselves, II. *Chr.* xxix 5. | xxxv. 6. xxiii. 13. that he should s. holy things

II. *Chr.* xxix. 34. upright in heart, to s. xxx 17. every one not clean to s.

*Isa* viii. 13. s. the L. of hosts himself xxix. 23. they shall s. H. O. of Jacob lxvi. 17. that s. themselves in gardens

*Ezek.* xxxvi. 23. I will s. my great name xxxvii. 28. I the Lord do s. Israel. xxxviii. 23. I magnify myself, s. myself xlv. 12. s. peo. with garments, xlv.20.

*Joel* i. 14. s. yea fast, ii 15. ii. 16. s. the congregation assemble

150

*John* xvii. 17. s. tlem through thy truth 19. and for their sakes I s. myself

*Eph.* v. 26. s. and cleanse the church

I. *Thes.* v. 23. very G. of peace s. you

*Heb.* xiii. 12. that he might s. people

I. *Pet.* iii. 15. but s. the Lord God.

SANCTIFIED.

*Gen.* ii. 3. G. blessed 7th day and s. it

*Exod.* xix. 14. Moses s. the people xxix. 43. the tabernacle shall be s.



## Library of Congress

*Lev.* viii. 10. s. the tabernacle, and all 15. s. the altar # 30 s. Aaron and x. 3. I will be s. in them that come xxvii. 15. is he that s. it will redeem 19. and if he that s. the field will

*Num.* vii. 1. s. tabernacle instruments viii. 17. I. s. the first-born of Israel

*Deut.* xxxii. 51. because ye s. me not

I. *Sam.* vii. 1. and s. Eleazar his son xvi. 5. he s. Jesse and his sons xxi. 5. though it were s. this day

I. *Chr.* xv. 14. priests and Levites s.

II. *Chr.* v. 11. all the priests were s. vii. 16. now I have s. this house, 20. xxix. 15. gathered and s. themselves 17. s. house of the L. in eight days 19. all the vessels have we s.

xxx. 3. priests had not s. themselves 15. Levites ashamed, s. themselves 17. many in congregation not s.

xxxi. 18. set office they s. themselves

*Neh.* iii. 1. built and s. the sheep-gate xii. 47. s. holy things to the Levites

*Job* i. 5. Job s. sons and daughters

*Isa.* v. 16. Holy G. shall be s. in right. xiii. 3. I have commanded my s. ones

*Jer.* i. v. I s. thee, and ordained thee

*Ezek.* xx 41. will be s. in you. xxxvi. 23. xxviii. 22. when I shall be s. in her xxxviii. 16. when I shall be s. in thee 25, s. in sight of heathen, xxxix. 27.

*Ezek.* xlviii. 11. be for priests that are s.

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*John* x. 36. him, whom the Father s. xvii. 19. that they also might be s.

*Acts* xx. 32. an inheritance among them. which are s. xxvi. 18.

*Rom.* xv. 16. being s. by Holy Ghost

I. *Cor.* i. 2. them that are s. in C. J. vi. 11. ye are s. in name of the Lord vii. 14. unbel. husband is s. wife is s.

I. *Tim.* iv. 5. it is s. by word of God

II *Tim.* ii. 21. vessel s. for Master's

*Heb.* ii. 11. they who are s. are all x. 10. by the which will we are s. 14. he perfected them that are s. 29. covenant wherewith he was s.

*Jude* i. to them that are s. by God

SANCTIFIETH.

*Mat.* xxiii. 17. temple that s. the gold? 19. or the altar that s. the gift?

*Heb.* ii. 11. both he that s. and they ix. 13. if blood of bulls s. to purifying

The fullest presentation is made to furnish materials for full explanation of the meaning of each contestant in this controversy, so as to determine whether difference in any vital doctrine arises from the doctrine itself or in the signification attached to it, for it is truly unfortunate that it should be said that evangelical Christians differ as to any of the essential elements of true religion.

From this exposition the statement may be fairly deduced—that one may espouse this doctrine and another oppose, and still in the definition occupy the same platform. It is not known that any reliable author has contended for such a degree of sinless perfection in

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this life as would deprive heaven itself of beatific transition, nor would this be desirable. "Eye hath not seen nor ear heard, neither have entered 151 into the heart of man, the things which God hath prepared for them that love Him." Faith is the only door to heaven. A knowledge of these hidden mysteries, which it was not intended for us to know, would close this only door, and thus not desirable to know. There is, perhaps, much greater diversity as to the real meaning of faith. Many are too prone to whittle it down to mere *belief*. We should be cautious even of mere faith. It is said, "Though I have all faith, so that I could remove mountains, and have not charity, I am nothing." There should be a faith (with repentance) gliding into trust, a trust gliding into regeneration or new birth, and all combined; inscribing our names into the Lamb's book of eternal life. Then may we appropriate the sentiment—

‡ "Join in with the celestial band, For in my book your names all stand, And take your seats at my right hand And reign with me in glory."

In such a book and with such inscriptions there are no blots, no erasures, no conflict with falling from grace after they "have tasted the heavenly gift," and have tasted the good word of God, &c., and "shall fall away," and impossible "to renew them again into repentance," a mistaken comprehension of which has disturbed so many in such imaginary hopelessness.

The "heathen in their *blindness* bow down to wood and stone." What fate is too hard for those in full light and blaze of gospel opportunities and even coming up and *tasting*, and satisfied with a mere *tasting*? How different from the inscription or acquisition securing the promise, "that neither death, nor life, nor angels, nor principalities, nor powers, nor things present, nor things to come, nor height, nor depth, nor any other creature shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

This "higher life," then, may be viewed as "in Christ Jesus our Lord," and only thus in full perfection and fruition, and the nearer we approach to this, the more by contrast do we repent and abhor ourselves instead of boasting.

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During the late war, the writer of this, without attaching any name (and none intended for this), wrote a tract on the "Personality of the Holy Spirit," distributing it amongst the prisoners of war, for their souls, while supplying their bodies. The subjects are so similar as to suggest references and quotations, as the sentiments of that tract commanded 152 extensive approval, applicable to the topic of higher life. Indeed, this "Personality of the Holy Spirit" may be regarded as *the* higher life, or the highest attainable in this life, enabling its possessor not only to contend for the faith once delivered to the saints, but to feel assurance of an indwelling spirit communing with the soul by day or by night, in sickness or health, prosperity or adversity, taking such full possession as to preclude the admission of anything that *defileth*. The robber or the murderer may invade your dwelling, committing the highest atrocities without any permanent *defilement*. So these evil imaginations may invade the regenerated heart but find no permanent lodgment, and if any should regard this as the higher life, we will not dispute as to terms, or consider that sincere Christians are in controversy on any essential doctrines of their profession. In this personality of the Holy Spirit, it was stated:—

The defect, or the deficiency it might be profitable to consider, may be found in the proclivity to regard this spirit too much as an *attribute*, an *influence*, an *impulse*, an *operation*. All these He certainly is, and in no department should be neglected. The important attainment is to regard Him more as a *person*. It is difficult to our comprehension, to regard any object as a person except in connection with visible form, substance, tangibility, etc.

There is an eye of faith and an eye of sight. An object of faith can be as visible to the eye of faith as an object of sight to the eye of sight. We can be as certain of *feeling* a pain as of *seeing* a natural person. And we can be just as certain of *feeling* the opposite of a pain, whether we call it a pleasure, gratification, or by any other name.

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It is not always bone and sinew, features, limbs, flesh, blood, etc. that illustrate our expression and impression of *person*. When we say we love or admire a person, we do not mean these elements or constituents of humanity.

It is frequently applicable to the most uninviting and homely exhibitions. We love, we idolize, a father or a mother; though in form, resembling all others, and in beauty and personal symmetry, much their inferior.

We mean that we love, we admire their qualities, their goodness and kindness of heart, their Christian virtues and perfections, their embodiment of all which beautifies and embellishes our nature. We are frequently lonely in the most crowded assembly, from absence of this companionship, and never less alone than when alone in the enjoyment of such presence. That bustling crowd may be deficient in that affinity which gives relish to companionship, and with the communion of an absent spirit, loneliness is made to flee away. \* \* \* \* \*

There is, certainly, difficulty in explaining to the blind the appearance of the simplest and plainest object of sight, and perhaps, more difficulty in explaining to the spiritually blind this object of faith. We are prone, perhaps, to rely too much on the declaration "he that believeth hath the witness in himself." This may be to the "Jews a stumbling-block, and the Greeks, foolishness." Some of the most devoted and eminent Christians (indeed, from their elevation of piety beyond usual contemplation) have regarded themselves deficient in this comprehension of the Holy Spirit as a *person*. They will experience and enjoy Him as an influence, impulse, operation, etc., as previously stated, or perhaps, as a dove, a *little white dove*, descending, flitting charmingly about, and perhaps again taking its flight, leaving really a void behind.

But there is a deficiency in that substance, that personal companionship necessary to sweeten our pleasures, soften our sorrows, give peace to our conscience, joy to our hearts. This is the realization so essential to our happiness. The Bible is abundant in its

## Library of Congress

exhibitions of his Spirit as a *person*, susceptible of being grieved, or vexed, or made joyful. (Eph. iv. 30; Ps. lxxviii. 40.) *He* knocks at the door of our hearts, desiring to come in and sup with us, and we with Him.

“Admit Him ere His anger burn, His feet departed ne'er return; Admit Him, or the hour's at hand, ou'll at His door rejected stand.”

This appreciation of the Spirit, as a person, is essential to that enjoyment of companionship in the silence of solitude, and darkness of midnight. He must be regarded as Omniscient, so as to know all our wants; as Omnipotent and Omnipresent, able and ready to supply them. All along the pathway of life, He must indeed be as a “pillar of cloud by day, or fire by night.” What a blissful medium of communion with distant friends or relatives. Though absent in the body,—

“There is a scene where spirits blend, Where friend holds fellowship with friend; Though sundered far by faith they meet Around one common mercy-seat.”

154

How consoling that this “mercy-seat” is as near one place as an. other. Though we may “take the wings of the morning and dwell in the uttermost parts of the sea,” and though our bodies or different parts of the same body may mingle with the dust of different climes, our spirits may yet blend in blissful and perpetual fellowship— “Around one common mercy-seat,” uniting with those who have gone before us, the bright beams of their example still lingering on the horizon to cheer and support us in our earthly pilgrimage.

In dangers, toils, and snares, sickness and sorrow, pain and death, He must be our ever *present* friend. The light of His countenance alone can illumine the dark valley of the shadow of death. And when we approach that judgment-seat, occupied by the Father, with His Son seated at His side, we must rely on this Comforter, co-equal, co-existent, and co-operative with the Father and the Son, not only to secure the advocacy of this Son, but the benefits of his merits, that through them we may hear the welcome invitation, “Enter

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into the joy of your Lord.” The practical *desideratum* is really to secure the benefit of this companionship. No better admonition or encouragement can be presented than in the declaration, “Ask and ye shall receive, seek and ye shall find, knock and it shall be opened unto you.” Not with a faltering, feeble determination, but with one which will not be baffled, even with the imagination of a decree, from the foundation of the world, that you were among the reprobates.

In discussing thus the attributes of this Holy Spirit, it is an important and necessary illustration, thus to exhibit his wonderful work which alone could be performed by one co-equal with the Creator, so inseparably connected with this subject. And if there are such fruits on earth, what may be expected in the future, or when these fruits which never lose their freshness, and these flowers which never lose their sweetness, are gathered into the garner of eternal life.

Regarded as a comforter or companion in this life, how preferable to that other Spirit, going up and down in the earth with delusive promises, but really, with the sole possession of fire and brimstone to reward his deluded followers.

Enough has certainly been presented to establish and enforce the importance of regarding this Spirit as a *person*. It may be essential to amplify and elucidate our idea of the substantial attribute of person 155 As stated, we are prone to require an object of actual visibility, tangibility, and humanity. We meet a friend on the street, we joyfully grasp his hand with the sincere and gushing exclamation, “I am so glad to see you.” It might be that dear old mother, whose strength and beauty have been exhausted in our nurture and protection. You are not satisfied with the most animated salutation, nothing less than the most affectionate embraces. And still it is not that visible, tangible, bending, tottering, faded, toothless *form*, with furrowed cheeks, and weak and weeping eyes. Others far surpass it in beauty and symmetry, who might excite disgust and repulsion. Oh, no; our hearts are gladdened by reminiscences, associations, affections, etc., not visible to the human eye, but such as will flourish in unfading verdure, and not be less highly prized

## Library of Congress

because of this invisibility. If, then, we can so highly appreciate attributes, having only the advantage of a visible form, which without them is but a mass of offensive putrefaction, why can we not by faith appreciate the *presence* of such attributes, divested of this otherwise loathing appendage? This impression thus riveted on the mind and heart, is the surest safeguard against any conflicting thoughts, words, or deeds, in the incidents and transactions of life, more nearly approximating the “perfect love that casteth out all fear,” unless a tear of that in fearing which there is nothing else to fear, certainly “not that which can only kill the body.”

Are you a prisoner of war? You can also be a “prisoner of a hope of the life that now is and that which is to come.” Your “carnal weapons” may be taken from you. But the Christian armor—the “helmet of salvation, the breastplate of righteousness, the sword of the Spirit”—elude human power.

“Behold Paul a prisoner at Felix's bar And by his example learn never to fear. No doubt all assembled expecting to see The *prisoner* stand dreading the Judge's decree. But the scene is quite changed, how strange to behold The *Judge* spoke with trembling, the prisoner so bold. 'Twas no *carnal* weapon; no dignified sound, But *God* in the man, and *his word* gave the wound,”

Do you “go down to the sea in ships and see the works of the Lord and his wonders in the deep? He raiseth the stormy wind which lifteth up the waves thereof.”

156

“By prayer let me wrestle And he will perform; With *Christ* in the vessel, I smile at the storm.”

“We all may like ships by tempest be tossed On perilous seas, but need not be lost; Though Satan enrages the wind and the tide, The Scripture engages, the Lord will provide.”



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“He maketh the storm a calm, so that the waves thereof are still.”

Do you “mount up to heavens and go down again to the depths, your soul melted because of trouble?”

“The God that rules on high, That all the earth surveys. That rides upon the stormy sky And calms the roaring seas,— That awful God is *ours*. ”

We have the promise, the assurance, “ *All* things work together for good to them that love God.” How idle, then—how impertinent—how *distrustful* the curiosity—the anxious care or inquiries into *His* purposes? How abundant are their rebukes?

In the time of old age, when the “windows be darkened ”so that the glittering tinsel of the world fades from our vision, and when “the strong men shall bow themselves,” and be unable to visit the scenes of pleasurable companionship, and when indeed, “the years draw nigh—when thou shalt say, I have no pleasure in them.” When the lonely grave, and the dark valley are before us— “When life sinks apace And death is in view,” then will we need this *personal* “Spirit,’ his omnipotent arm under us, the light of his reconciled countenance to cheer us.

“The words of his grace To comfort us through.”

Some *personification* or impression of *solidity* as to present or anticipated *companionship*, or treasure in “a house not made with hands,” especially “in the time of old age” and hour of dissolution is indispensable as a substitute for the companionship and treasure now fading from the vision or the grasp.

There are some doctrines the more valuable and precious because of their elevation above human comprehension. If all were within these limits, they might appear as of human origin. St. Paul had the 157 assurance of an angel that he should reach Rome, or “before Cæsar,” in safety; still, on the passage, in a storm, he stated, “except these

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abide in the ship, ye cannot be saved.” And though “neither sun nor stars for many days appeared, and all hope was taken away” the conclusion was, “that they escaped all safe to land.” Though comforted and cheered by the certainty of a blissful futurity, let not the means be neglected; but ask, seek, knock. Though it might be proclaimed, that you would be among those to be cast into outer darkness, away from the presence of your Saviour, let it be the language of your heart, if I cannot be with him hereafter, do grant me the boon of serving him while I live. “Praying breath was never spent in vain.” The advantage of this Companion is, that though so large, that the heaven of heavens cannot contain him, he is so condescending as to dwell in each believing heart. Earthly friends might be absent in our extremity, but he is ever present, and willing to relieve. Among the myriads of the earth, it might seem that some might be overlooked or forgotten, or that a pressure of other claims might defeat their own. But by a plan of salvation no human ingenuity could have devised, each believer has, as it were, God for his own God. A painting on canvas can represent an eye looking alike on all spectators, in all different parts of the same room, as much at all as if but one. It does not appear to either one that there is any diversion. So with the all-seeing and all searching eye. And if it can be regarded as the eye of a Father who knoweth how to give good gifts unto his children, how comforting the scrutiny to ascertain and supply our wants. How unwilling for rocks and mountains to hide us from his face.

There is often more Christian perfection, more *humility* in the prayer, take me “close to thy bleeding side,” than “make me as one of thy hired servants.” The first does not arise from presumption or ambition, or to be placed above, or “not as other men,” but from love of the object, of desired proximity, and confidence in the basis of our claims on the imputed righteousness from perfection itself.

This is very different from the application, “Grant unto us that we may sit one on thy right hand and the other on thy left hand in thy glory.” “Whosoever exalteth *himself* shall be abased.” But all proper supplications are answered in proportion to their magnitude and

confidence in the fountain of supply, and preparation to secure them. The widow's oil did not cease to flow until the expectation and preparation to receive it were exhausted.

158

It is a knowledge of our malady which conducts us to our physician, because of our confidence in *his* ability to remove our disease. Let not, then, the afflicted and faint-hearted despair. Your very apprehensions of your final condemnation may be the surest guaranty of your final preservice. It is not the acceptance of this doctrine, but the rejection of it, that causes listlessness and indifference. Tell the true believer, do as you please, your perservice or salvation is sure. His answer is, "Thy law is my delight." He acts from a principle of love, not fear.

Tell him the love of his heavenly Father, or even of his earthly father, is sure and steadfast, nothing can separate him from it, or deprive him of it. The language of his heart is, having such a father, with such love—mine shall correspond, I cannot trample on such love, I cannot offend such a father. It is the *goodness* of God that leads to repentance. It is the assurance of victory that makes the coward valiant on either side. Believe that this is an uncertain, fickle love, may exist to-day and depart to-morrow with doubtful final results, then indeed may you cease to prize it and yield to despondency, and unnerve your energy, and sink in gloom and despair. But the difficulty of conviction consists in the requisition, that these divine doctrines should be brought to the standard of human comprehension. We may be perfectly confident of the presence of this Spirit, and be unable to satisfy those requiring a wisdom above what is written. We are satisfied that there are three in one—that the wind bloweth—that the bones do grow—that vegetation advances—that whereas, we were once blind, now we see. But the particular process may be inexplicable but not the less certain.

The moral and application of this apparent digression, enforce on the trembling believer the comforting assurance and conviction that it is not *his* love or *his* merits he must rely on. "We love him because he first loved us." We rely not on our own merits, but on his

## Library of Congress

imputed to us. We approach him not relying on our own perfections, nor disheartened by our imperfections, no more desiring to conceal our malady from him than we would our disease from an earthly physician, whose skill we considered sufficient for its removal.

The declaration, "He that eateth and drinketh unworthily eateth and drinketh damnation to himself," is more harmless to the apprehensive than the presumptuous. *Worthiness* could alone spring from 159 a sense of *unworthiness*. And those presumptuous or confident in their worthiness, would certainly eat and drink "unworthily."

It is said of the "*wicked*," "There are no bands in their death, they are not in trouble as other men, neither are they plagued as other men." Like beasts they live, like beasts they die. "So foolish was I, and ignorant, I was as a beast before thee."

We have the same sacred assurance, "It is better to go to the house of mourning than to the house of feasting." How incongruous to the carnal appetite! But if we could delineate the description of the votaries of these houses of feasting or mirth (theatres, balls, card-tables, race-fields, the different haunts of debauchery, dissipation, &c.), how would this incongruity vanish? It is not denied, that many may there be found occupying deservedly conspicuous stations on the current of worldly wealth or popular fame. *They*, however, would not rely on these associations as the fountain of their notoriety.

But while such may there be found on account of the vacuum, or "aching void, this world can never fill," still it must be admitted, you can find the representatives of the whole catalogue of vices and iniquities denounced in the laws of God and man. We cannot tolerate their companionship here, even for the season. How could we bear it for eternity?

Those feet which can now separate us from their presence, and those hands which can now push them away, will be cold in death and unable to brush away the worm fattening on those eyes, once flushed with joy at these glittering but evanescent embellishments and sensual captivations.

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The sinner is prone to regard the Christian as giving up and denying himself a gratification, in thus turning away from these allurements. He forgets or never comprehended the change of appetite.

It is no denial not to do that against which you have an aversion. The most sumptuous feast is spread in vain for those without a relish, and is indeed nauseating and revolting. There has been an entire change. The old man has been put away. There has been a *regeneration*, a new birth, as essentially different as if there had been an actual death, and a new creation. Did St. Paul, when breathing out threatenings, differ more from his condition when in his glorying and rejoicing, than if these attributes had really been encased in different bodies?

160

Those who formerly went to this “house of feasting,” vainly striving with earthly toys to fill an empty mind, harassed by a fearful looking for of judgment and fiery indignation; some mysterious handwriting on the wall—now find unalloyed pleasure in the prayer-meeting—the house of mourning over sin, and supplication for pardon, feeling a comforting sense of laying up treasures where “moth and rust do not corrupt, and where thieves do not break through and steal.” Oh, these are pleasures which the stranger intermeddleth not with. It seems almost unkind to give them, thus “bands in their death, or plague them,” except for the invocation,—

“Ho, ye who pant for living streams And pine away and die, Here you may quench your raging thirst With springs that *never* dry.”

Belshazzar was in the house of feasting, surrounded by his sycophants and adulators. Why did he not infer that the “fingers of a man's hand” were recording some memorial of his grandeur and popularity? It is well said, “conscience makes cowards of us all.” In the house of mourning or of prayer, such an apparition would have turned mourning into joy.

## Library of Congress

If we do not accustom ourselves to this personality in life, it may be that other Spirit going up and down in the earth may assume a more frightful personification, as has appeared in a “mania-a-potu,” or in the hour of death. Descending to earthly illustrations, an eloquent statesman once remarked, in the halls of Congress, “Faction is a demon. Faction out of power is a demon in chains. Faction vested with the attribute of rule is the Moloch of destruction.” Death or Satan is a demon; out of power, a demon in chains. His only sting is sin. The blood of Jesus Christ cleanseth from all sin. Death thus deprived of this weapon (sting) and facing the Christian armor (the sword of the Spirit), becomes a coward, running at the first glance, or only performing the office of a friend or servant, to *put away* this corruption that it may “*put on* incorruption.” A distinguished physician and surgeon of Philadelphia, by a skillful administration of ether, caused the apparent realizing ebbing out of life, and corresponding apparition of death; leaving the genuine impulses of the mind and heart full sway and unconscious language to their appropriate expression, thus witnessing a visible and audible exemplification of this dying sensation. Significant then becomes the inquiry, “Oh, Death, *where* 161 is thy sting?” I have heard much of it, but I see it not; I feel it not. And, “Oh, Grave, *where* is thy victory?” You appear as a yawning vault or gulf, but as the only portal to celestial joys—spanned by an arch radiant with anticipations of a blissful futurity.

This *personification* or reality by *faith*, should enliven every occupation or profession, especially that accustoming its votaries to the association of a judge, a judgment-seat, a bar, advocate, trial, judgment, penalty, final decree. What surer guaranty of justice, fidelity, integrity, and propriety in a judge or advocate than the impression and abiding conviction that he may become the subject of similar proceedings in a court from which there is no appeal from the sentence, “Depart, ye cursed,” or, “Well done, good and faithful servant,” etc. And when the trembling convict retires under the affecting and despairing benediction, “May the Lord have mercy upon you,” what an opportunity for *personifying* the expression of the martyr, John Bradford, under similar exhibition, “There goes John Bradford, but for the grace of God,” or the similar expression of John Bunyan in reference to the profane

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swearer. Fortunately for the reputation of mankind, there are in Europe and America illustrious examples of this Christian purity and integrity. These examples fully illustrate the sentiment, that however elevated may be earthly attainments, still in the hour of death he who trusts for salvation to anything but the righteousness of Christ, will find it as a "bed shorter than that a man can stretch himself on it, and the covering narrower than he can wrap himself in it."

\* \* \*

A distinguished lawyer, in full, successful practice, who was also a politician and commanding general, surrounded by the embellishments of wealth, honor, and domestic endearments, remarked on the morning of his death, that it was the most important court he was ever required to attend. But left to his choice, he preferred to *attend* the court of Heaven. He was gratified, leaving with the writer and others, his testimony in behalf of a production entitled "The Bible a revelation from God, by Thomas Scott, D. D., being the preface to his family Bible." From his suggestions it has been put into a tract form, for convenient distribution. This digression or ebullition may be excusable in one of like feelings and passions, who first with a preceptor in the rudiments, and afterward with the chairman of a committee in framing a code of laws, was thus associated with two of the purest and 162 most purifying Christians the salt of earth has ever produced. The one remains as an ornament to the highest tribunal known to a State. The other has been called up higher from a similar position to respond joyfully to the invitation, "Enter into the joys of your Lord," at a judgment seat from which there can be no appeal, and *in this case* none desirable. In retirement from the commotion of active practice, and the curling white-caps of professional conflict, calmed down as usual in a surface without a ripple of animosity or unkindness, nothing better could be done, with the wealth and honors of the *world* at command, than to commend this "Spirit" as the only true comfort in life or solace in death.

## Library of Congress

But after death the judgment. Here we will need more than an *attribute*, an *influence*. We must have a substantial *person*, an advocate not only to plead our cause, but to give us the benefit of *his* attributes, *his* perfections. In order to recognize him as our friend *then*, we must familiarize ourselves with his companionship *on earth*, with the “sword of the Spirit, the breastplate of righteousness,” to ward off all dangers. In that awful day and hour, who can stand without this Omnipotent Protector? But the imagination is here overwhelmed into expressive silence. Where shall the ungodly and the sinner appear?

“But saints, undaunted and serene, Your eyes shall view the dreadful scene; Your Saviour *lives*, though worlds expire, And earth and skies dissolve in fire.”

This “perfect love which casteth out all fear,” may also be well denominated the higher life, and justify no criticism. It does not require any exalted *intellectual* attainment.

It is related that when encountering any ecclesiastical difficulty, the learned Dr. Doddridge was in the habit of conferring with some ignorant person in the learning of the world, but rich in the spirit; by whom spiritual things are discerned.

When the great and good John Wesley was in the zenith of his fame and power, it is said that a distinguished individual traveled a long distance to hear him. He was probably a distinguished metaphysician, requiring that all subjects should be brought within human comprehension and understanding, thus proving their human origin.

He took his seat in the church and quietly awaited the enunciation 163 of his text, “When I am weak, then am I strong.” On this declaration, he grasped his hat and precipitately left the church, and meeting a friend on the outside remarked, “I have come a great distance to hear your distinguished minister, but he is the biggest fool I ever saw. What do you think he said? Why, that when he was *weak* he was *strong*.” Probably he kept on and went over the precipice of destruction. “Great men are not always wise.” “For you see your calling



## Library of Congress

brethren, how that not many wise men after the flesh, not many mighty, not many noble are called," viz., not many wise in their own conceit.

How incongruous this to the wisdom of the world; but to the humble babe in Christ, to the unlettered African, so plain that he who runs may read and understand, or understand without reading.

The writer was once in attendance on the death-bed of an illiterate colored servant dying in all the triumphs of Christian faith and ecstasy, who uttered an expression of more wisdom and excellence than all the infidel philosophy of the world has produced—"The way to die a Christian death is to live a Christian life." Thus we may inquire—

"Is that a death-bed where the Christian lies? *No!* 'tis not his, 'tis death itself that dies."

Where is the sting of that which alone can exalt to celestial joys?

"What's this that steals; that steals upon my frame, Is it death? Is it death? That soon will quench, will quench this vital flame? Is it death? Is it death? If this be death, I soon shall be From every pain and sorrow free; I shall the King of glory see. All is well! All is well!"

Whether it be called the higher life or the humble life, the term is unimportant, so that at its close we may realize—

"Bright angels are from glory come, They are 'round my bed; they are in my room; They wait to bear my spirit home. All is well! All is well!"

Dear Christian brethren, in contemplation of such ecstasies, how unimportant do any controversies appear! Let us not regard as controversies any discussion of any Christian principle or precept; but each only as an additional auxiliary, if, from a different direction, gathering 164 strength as it goes "*acquirat vires eundo*," and by holy, godly lives,

## Library of Congress

eschewing mere controversy, *thus* put “ten thousand to flight.” Nor does this involve any vanity or presumption, but the reverse.

It is only when we are *thus* weak we are *thus* strong, viz., laying aside all strength of our own, and thus securing and using the strength of Omnipotence, mountains are made to “skip like lambs.” Laying aside our own merits and trusting in the merits of a crucified Saviour, and securing the benefit of them; it is a reflection on those merits to aspire only to some low place, even in heaven.

A proper inspiration and aspiration should impel us to seize the crown of perfect love, scale the very mount of heaven, and from its highest pinnacle exultingly proclaim, “Thanks be to God which giveth us the victory, through our Lord Jesus Christ.”

Though this higher life be unattainable in this world, let us not be discouraged in the nearest approximation, and rejoice that whatever be our earthly altitude our watchword should be, Higher! higher, to the life in the heavenly Jerusalem!

The higher the elevation attained, the higher the aspiration.

Nearer, my God, to thee, Nearer to thee E'en though it be a cross That raiseth me, Still all my song shall be— Nearer, my God, to thee, Nearer to thee.

\* \* \* \* \*

Or if on joyful wing, Cleaving the sky; Sun, moon, and stars forgot, Upward I fly; Still all my song shall be, Nearer, my God, to thee, Nearer to thee.

The devout Christian then need not be cast down or dismayed. Error and misrepresentation will pass away and be forgotten, while truth will rise upon their ruins and flourish in unfading verdure. A distinguished American traveler remarked, that when he approached the city of London and thought of her abominations, he viewed her as a city destined to destruction; that it seemed he could almost see the cloud of wrath gathering

## Library of Congress

over and ready to burst in fury upon her. 165 But then again he looked and saw her thousand spires pointing up to heaven, which seemed to penetrate this cloud and avert its fury. Then whatever shadows, clouds, and darkness may for awhile obscure or mystify the doctrines and precepts of true religion, not a thousand spires, but millions of the prayers of God's people will rise to penetrate and disperse them.

Though these millions of prayers may arise from the remotest regions of the earth, how this divergence dwindles as they approach the heavenly focus! And as each loved one departs, how the attraction augments, and loosens the fetters which tied us to earth! We should not be impatient or too impetuous to join them; the heavenly husbandman being the only proper judge when the grain is ready for the garner. Gathered too soon or too late it would wither and decay. How we should shudder at the idea of any suggestions! And as to his *manner* of taking us to his bosom, how indifferent we should be, so it accords with *his* will and pleasure, whether on the land or on the sea, by disease, accident, fire, or lightning, we might more appreciate the sentiment of the animating hymn:—

“Our souls mounted *higher*, In a chariot of *fire*, And, the moon, it was under our feet.”

If relied on as a *protector*, the heavy thunders of his voice and vivid flashes of a reconciled countenance should impart a feeling of security from such power to protect, or to take us to his bosom.

And when this mount of heaven is thus scaled, and when the gates of pearl open wide to receive us, and the streets of shining gold seem an inviting pathway, our loved companions on earth, recognized as the sweet, radiant flowers, springing from the unsightly roots buried in earth, even then our disembodied and glorified spirits will rise in *higher* exultations that they are where there is no sin and where Jesus is. Oh, if such sensations were admissible, how we would feel rebuked that even from desire to do good we so much as discussed earthly perfection or heavenly glory, or personality of the

## Library of Congress

Holy Spirit, or kindred subjects; that we ever imagined how we should appear under the assurance that we should be like Him, and see Him as He is.

Thus dazzled by His brilliancy, and thus our own, how will this new life, this higher life, this heavenly glory and kindred subjects be all merged in the ecstasies of *indescribable* glory?

166

Texts of Scripture Sustaining the Personality of the Holy Spirit Accompanying that Tract.

John xvi. 7. and 8—"It is expedient for you that I go away; for if I go not away the Comforter will not come unto you; but if I depart I will send *Him* unto you."

"And when *He* is come *He* will reprove the world of sin," &c.

Again—

John xvi. 13—"When *He* the Spirit of truth is come *He* will guide you unto all truth, for *He* shall not speak of *Himself*; but whatsoever *He* shall hear, that shall *He* speak and *He* will show you things to come." [Seven times in one verse by personal pronouns.]

John xvi. 14—" *He* shall glorify me for *He* shall receive," &c.

John xvi. 16—"And I will pray the Father and he shall give you another Comforter that *He* may abide with you forever."

John xvi. 17—"Even the spirit of truth; whom the world cannot receive, because it seeth *Him* not, neither knoweth *Him*; but ye know *Him*; for *He* dwelleth with you, and shall be in you."

Many passages are suggestive of *attributes*, &c., inseparable from personality.

Heb. iii. 7—"Wherefore (as the Holy Ghost *saith* ), to-day if ye will hear his voice."

## Library of Congress

Isaiah lxiii. 10—"But they rebelled and *vexed* his Holy Spirit."

Ephesians iv. 30—"And *grieve* not the Holy Spirit."

Ps. lxxviii. 40—" *Grieve* him in the desert."

Rev. xxii. 17—"And the Spirit and the bride say come," &c., &c.

Approval and Commendation of that Tract Enforcing the Doctrine of Personality,  
Substantially the same as Higher Life.

It is a most delightful incident thus to collect in social and ecclesiastical convergence, the representatives of the various denominations and positions; their proximity to each other being in proportion to their advance to this common centre—this "one thing needful," thus enhancing the sentiment—

"Ye different sects, who all declare Lo! Christ is here and Christ is there. Your stronger proofs divinely give, And tell *me* where the *Christians live*."

Remarks generally on first edition, very imperfect, from mistakes and omissions from illegible chirography in the absence of the writer during publication.

167

From a distinguished Divine and Commentator:—"The sentiments of the tract are sound, according to my views, and the main point is one that is not often adverted to in sermons or printed tracts."

From a Judge of the Supreme Court:—"I have read your tract on the 'Personality of the Holy Spirit' with interest, and can well suppose that it would be comforting to Christians in some of the frames of experience through which they pass. We are doubtless too apt to forget that the Spirit is a real person, ever present; and by our forgetfulness, we lose much

## Library of Congress

of the strength and comfort which a just appreciation of this personality is calculated to afford. I wish you all success in your efforts to do good.”

From a Chief Justice of a Supreme Court:—“I gave your excellent little tract a hasty perusal, and placed it in the hands of a judicious friend, who read it more carefully than I had time to do. Our impressions derived from the tract are very agreeable. It is a forcible presentation of one of the cordial and most consoling doctrines of our holy religion, and I hope it may do great good.”

From another Judge:—“It will do great good.”

From a lady long in distress and despondency:—“I have read attentively *twice* the tract you gave me, and can truly say that I have experienced much comfort in its perusal. For beauty of language as well as sound doctrine, I can truly say, and without flattery, it is a long time since I have read anything so much to the purpose; for it has seemed to me for a long time as if God had hid his face from me *forever*, and as if I was never more to receive peace and comfort.”

From a D. D., as to the professional complexion:—“It requires no correction. Preachers could not have done it so well.”

From a distinguished President and Theologian:—“The general subject of realizing the personal presence of God, instead of the agency of a being conceived of as distant, far off in heaven, is very important; and it is certainly a prime part of religion to endure as seeing him who is invisible. The way to approach to desponding, self-distrusting souls is a very important matter of consideration. There are many more such than there ought to be.”

From a D. D.:“It calls attention to a most vital, though much neglected point of Christian doctrine and experience.”

## Library of Congress

From another useful and zealous Minister:—"I have read wit interest and profit your tract on 'The Personality of the Holy Spirit.' 168 It impresses me very favorably with the clearness of its logic and the Christian glow of its spirit. The truth it discusses, if properly appropriated, is indeed to the tempest-tossed soul 'an anchor sure and steadfast,' and yet to the careless sinner a startling intimation of his future misery. You would confer a favor by sending me a few copies of your tract for distribution among my friends here."

From a Judge of Supreme Court:—"I shall rejoice in the belief that your efforts will not be lost; I trust many desponding Christians may derive comfort and strength from what you have written. I am assured I shall."

Many more comforting manifestations from ladies and "sick and in prison," forming materials more interesting, perhaps, than the tract, might be exhibited.

No imputation of vanity can be ascribed to an anonymous writer in thus presenting the ingredients for the accomplishment of *good*—in the recommendations and fruits produced—on a subject of such great importance and comfort—"not often adverted to in sermons or printed tracts," "a vital and much neglected point of Christian doctrine and experience," and which is denied by some entire denominations, feebly cherished by others, though here sustained by the representatives of as many as five different Christian denominations, a list which, with time and opportunity, might have been extended. But some may repeat "Your *stronger* proofs divinely give."

But it must be admitted that if but *one* verse in the Bible distinctly referred to the Holy Spirit by the pronoun *He* or *Him*, it would be sufficient. For all agree that the *attributes* and *influence* of a person may be the subjects of more frequent reference, and be confirmatory of the person.

## Library of Congress

These extracts and commendations are important in any testimony on a kindred subject; indeed, the same subject—this personality—being *the* new or higher life or indissolubly connected with and essential to it.

CHRIST IS ALL.

(COMPOSED BY REV. DR. EDMOND, OF LONDON.)

I entered once a home of care, For age and penury were there, Yet peace and joy withal: I asked the lonely mother, whence Her helpless widowhood's defense; She told me, Christ was all!

169

I stood beside a dying bed, Where a sweet infant drooped his head, Waiting for Jesus' call: I marked his smile, 'twas sweet as May; And, as his spirit passed away, He whispered, Christ is all!

I saw the martyr at the stake, And not fierce flames his faith could shake, Nor death his soul appal: I asked him whence such strength was given, He looked triumphantly to heaven, And answered, Christ is all!

I saw the gospel herald go To Afric's sand and Greenland's snow, To save from Satan's thrall! Nor home, nor life he counted dear, 'Midst wants and perils owned no fear; He felt that Christ was all.

I dreamt that hoary time had fled, And earth and sea resigned their dead, And fire dissolved this ball: I saw the Church's glorious throng; I heard the burden of their song,— 'Twas Christ is all in all!



## Library of Congress

Then come to Jesus! come to-day; Come! Father, Son, and Spirit say; The Bride repeats the call; Come! He has blood for all your stains; Come! He has balm for all your pains; Come! He is all in all!

“What's this that steals; that steals upon my frame, Is it death? Is it death? That soon will quench; will quench the vital flame, Is it death? Is it death? If this be death, I soon shall be From every pain and sorrow free; I shall the King of glory see. All is well! All is well!

Weep not for me, my friends, weep not for me, All is well! All is well! My sins are pardoned; pardoned—I am free. All is well! All is well! 170 There's not a cloud that doth arise To hide my Saviour from my eyes, I soon shall mount the upper skies. All is well! All is well!

Tune, tune your harps, your harps, ye saints in glory. All is well! All is well! I will rehearse—rehearse this pleasing story. All is well I All is well! Bright angels are from glory come, They are 'round my bed; they are in my room; They wait to bear my spirit home. All is well! All is well!

Hark! hark, my Lord, my Lord and master calls me, All is well! All is well! Soon I shall see; shall see his face in glory. All is well! All is well! Farewell, my friends, adieu, adieu, I can no longer stay with you, My glittering crown appears in view. All is well! All is well!

Hail, hail, all hail, all hail, ye blood-washed throng, Saved by grace. Saved by grace. I come to join, to join your rapturous song. Saved by grace. Saved by grace. All, all is joy and peace divine, And heaven and glory now are mine. All hallelujah to the Lamb. Saved by grace. Saved by grace.”

By contrast, the only verse recollected of the paraphrase of an actual occurrence on the death of an interesting, lovely young lady, is inserted. The balance may be imagined with tender sympathy and it is hoped beneficial results:—

## Library of Congress

"Young people, hear, and I will tell— A soul, I fear, has gone to hell; For when upon her dying bed She called her friends, and thus she said 'My friends, I bid you all farewell; The pains I feel no tongue can tell.'"

"Ye sons of vanity, draw near, Enlist as generous volunteers, Become our royal brothers here. I mean, as valiant soldiers. 171 The bounty you shall have in hand If you'll enlist in Jesus' band; Your captain in the front will stand, And drive your foes before you.

No more in Satan's ranks appear, But to Christ's banner pray draft near; You'll gain the day, you need not fear, Though earth and hell oppose you. Although your parents should oppose, Your dearest friends become your foes; Yet sweetly with the gospel close, And Jesus will support you.

And when the war is at an end, Your captain still will be our friend; We'll wing our way and up ascend To reign with him in glory; Then shall our tears be wiped away, Our night be turned to endless day, And on our golden harps we'll play And sing the song of Moses.

Then shall our captain say: 'Come nigh, Ye faithful ones, who did rely The gospel promises, enjoy The sweets of my salvation. You have been faithful in your time, And washed in blood your every crime; Your shining raiments are sublime, Receive your consolation.

You with the things you had in store, The naked clad and fed the poor, And open was your friendly door To all my needy soldiers; And now with honor on this day Your gallant conduct I'll repay, Your former things are passed away, And joyful is your portion.

You now shall wear a crown of life, And bid adieu to war and strife; Then shall the husband and the wife Rejoice who died victorious, The parents and the children, too, Of every nation, not a few, who in their life and death were true, Forever shall be glorious. 172 Come, white and black; come, rich and poor, Who from my grace received a cure, And did

## Library of Congress

unto the end endure, Now enter into glory. Join in with the celestial band, For in my book your names all stand, And take your seats at my right hand, And reign with me in glory.”

It may be observed that in a certain portion of the foregoing there are ten asterisks indicative of omission. There are some in life sensitive at any allusions to the dead, even for elevated inspiration of the living. But after attaining the heights of eternal glory, would return or look down for every opportunity or incentive for aspiration to that celestial eminence.

It may be that the omission at that time, now somewhat distant, may have been fortunate and providential in the illustration and corruscation imparted to the present occasion and thus incorporated.

Who has denied himself the pleasure and benefit of the eloquent, instructive and impressive discourse of the Rev. Dr. H. A. Boardman on the “Importance of Religion to the Legal Profession,” in 1849. With due deference ( indeed the learned author being the judge) it may be said, that it was the subject that honored the sermon more than the sermon the subject. The delicacy which caused the omission at first required explanation of the remark, in the fact that there was some apprehension of an imputation of vanity and indelicacy in a connection, thus to introduce an example, though only in illustration of a general proposition. It is true there are certain sacred repositories sealed against any sacrilegious or other invasion. The more brilliantly they shine, the greater is the strength of this centrifugal resistance against any encroachment. But when an individual passes from earthly existence, who, by “his great virtues and rare endowments, his talents, learning, and practical benevolence, guided withal by that wisdom which cometh from above,” leaves behind him an example to guide and direct the aspirations of those who may be yet unborn—then it is that family ties and endearments, strengthening the barriers enclosing those private associations, must yet yield their grasp or claim on this *public* treasure. The application for the publication of that discourse already quoted from, states: “The name of Charles Chauncey, so happily introduced by you in 173 illustration of the great

## Library of Congress

leading object of your discourse, belongs to the whole community as well as to the legal profession." Family claims are not only ignored, but are not even considered;—not in the record at all. As volunteer representative attorney they are cheerfully (because justly) surrendered to an admiring country. The scales of delicacy are thus removed from the trammelled gaze. The summons is boldly sounded to present and future generations: attend and hearken to the text of that impressive discourse—"Mark the perfect man and behold the upright; for the end of that man is peace." Worldly grandeur—earthly eulogium—glittering pageantry—pompous funereal processions—stop and quail before these mild, gentle, persuasive, beseeching, and purifying intonations of "that wisdom which cometh from above" in this simple text. Here another verse of inspiration interposes its threatening doom—"If any man shall add unto these things God shall add unto him the plagues that are written in this book." "Mark the perfect man" might alone suffice, but there is another admonition, "not to take away." But the greater the eminence the more important may be the stepping stones for its attainment.

All know that the name "Alexander" will live in ecclesiastical effulgence to the remotest limits of time as amongst the most learned of eloquent Divines. And still the greatest learning is sometimes most efficiently exhibited in the plainest explanation, especially of "the old old story of Jesus and his love," only intelligible to the humble unpretending possessor. It was said one of these humble *babes* in Christ, but in full fruition of the perfect love, only thus attainable, attended the ministrations of many Divines on some protracted occasion. After hearing others also, she remarked she wanted to hear again that *ignorant* old man she could understand, but who happened to be one of the learned Doctors Alexander.

Left untrammelled as to subject, unless in the individuality, defying avoidance of seeming egotism I have glided into those most promising of some good, as union between the sections and the sexes and the parties my mind now veering toward the churches, not in

## Library of Congress

amalgamation as to government but harmonious co-operation; “divided as the waves, but one as the sea” in wafting the different barks into the haven of eternal deliverance.

With the indispensable essentials of faith, repentance, Holy Spirit, Atoning Blood, Sovereign Graces, substitution and adoption as accorded 174 to Judge Moncure, the particular bark on which they are freighted is of little importance. Without them, however may be the bark or the sails, there can be no other destination than final perdition. Judge Moncure, of such admiration, and some members of my family were Episcopalians; Judges Ould and Sharswood, Presbyterians; my father and mother, Methodists. The great Spurgeon a Baptist, baptized in the Holy Spirit and proclaiming blood as thicker than water.

Since commencement of these effusions I have finished the last and every preceding line of his last ten volumes of sermons. When on the 9th I wrote him I felt like a person without sufficient supplies for the whole year and gratified at the announcement of more. I well recollect that when his fame first commenced the illumination of the ecclesiastical firmament. I concluded he was only as a meteor or a rocket, soon expiring into corresponding darkness. I did not then buy, but borrowed from an excellent Baptist Minister, neighbor and friend, one of his productions. The first page or about the first word dispelled all such illusions, and that the word “Look.” Now such a word *might* excite condemnation, but “Look unto me”—not with the eyes of the head, but the *heart*, and how different.

It was the text under which he professed conversion and the full comprehension of which was of more significance and appreciation than volumes of skepticism or indeed *tolerable* presentation of even useful disquisitions, but as means of salvation only “sounding brass or tinkling cymbals,” not worth the illiterate utterances of that dying colored servant or that humble Methodist member unlearned in correct language, but above the wisdom of the World in emanations of the heart.

## Library of Congress

I have stated that my parents were Methodists, I might add that when first sent to boarding-school my almost second parents were Methodists—Stith Thompson and his sainted wife *nee* Warwick. Th? gates of Heaven never flew wider nor did its arches ever reverb?rate sweeter music than on their entrance into that blissful abode. There were circumstances connected with the great revival in 1838 that carried me into the Presbyterian association, but never even impairing early attachments and affinities for the church of my father, mother and many friends. These ebullitions are penned amidst the commotion from newspaper accounts of the motion of the earth. But if the “earth is the Lord's and the fulness thereof,” and if we are the 175 Lord's and He knows how to give good gifts to His children and what constitutes good gifts, what have we to do with what He does?

“The rocks can rend, the earth can quake, The sea can roar, the mountains shake; Of feeling all things show some sign But this unfeeling heart of mine. But power Divine can do the deed And much to feel that power I need; Come, Holy Spirit, and refine This heart, this frozen heart of mine.”

The best and safest is to fear that in fearing which there is nothing else to fear.

But in this connection and congratulation my special reference was to the nearer approximation and fraternity of all the churches, and for reasons stated, especially with the Methodist and Presbyterian churches. I was somewhat educated into the same abhorrence of Calvinism as the Tariff as referred to—all subsiding or softening under rays of reason and investigation, the difference being, in the deeper penetration of some beyond the confines of *human* penetration, it being evident that if all be within human comprehension it must be of human origin.

In confirmation of this convergency I desire to incorporate the fraternal manifestations of the Methodist magnates to the Presbyterian assemblage at Belfast.

## Library of Congress

Assembled in our annual Conference we rejoice to greet you on the interesting occasion of the meeting of your third Presbyterian Council. To us it seems eminently fitting that such a representative gathering of the great Presbyterian family should meet in the metropolis of Ulster—a province so remarkably in contrast with the South and West of Ireland, and which owes not a little of its social prosperity and freedom from agitation and strife to the sturdy descendants of Presbyterian Scotland, and to the power and influence of the Presbyterian Church. (Applause.)

We rejoice to recognize the fearless stand which the Presbyterian Church has made from the days of John Knox to the present time in our own and other lands against Popery and kindred forms of error. We gratefully acknowledge also the faithful and unfaltering testimony which she has borne throughout her entire history on behalf of the Divine inspiration and authority of the Word of God, and the zeal and noble fidelity with which her sons have defended the Deity of our 176 Divine Master and Lord, and maintained the crown rights of the Redeemer as King in Zion and Head over all things in His Church. This fidelity has been nobly illustrated in the history of Scotland in the olden time, and with it the honored names of Henry Cooke and Thomas Chalmers are imperishably associated in modern times. (Applause.)

We have read with joy and gratitude of the great success with which it has pleased our Divine Lord and Master to crown your labors in the great missionary field in India and other lands, and also of the growing prosperity of your home missions, educational institutions and temperance organizations. We earnestly pray that still richer blessing may attend your labors in every department of the great work under your care. Although in the exercise of your right of private judgment, we do not subscribe identically the same Confession of Faith, we are, nevertheless, one with you, in contending for the same great cardinal doctrines of revealed truth. Our pulpits have given no uncertain sound as to man's ruin by sin and his redemption through the propitiatory blood of the cross, justification by faith alone, and the work of the Divine Spirit in renewing the soul. Amid the many changes

## Library of Congress

which have marked the progress of theological thought in our time, we hold fast the form of sound words as maintained by our fathers, and feel a growing conviction of its power and adaptation to the times in which we live, and to man everywhere.

As we have watched with no ordinary solicitude the bold and defiant attitude of the skepticism and unbelief of our time, we have felt devoutly thankful in witnessing the growing power and influence of the Presbyterian Church, both in the pulpit and through the instrumentality of the Press. We rejoice to stand side by side with you amid the great conflict of our time, bearing our testimony with no trembling voice for the same Divine Master and the same unchanging truth. We are separate from you in Church-fellowship, and are yet one; believers in one Lord, one faith, one baptism and bound for the same family home—"the General Assembly and Church of the First-born, whose names are written in heaven." While on our way to that godly fellowship, we desire to cultivate and manifest a spirit of unity and brotherly love towards all the servants of our Divine Master and Lord, and devoutly pray that the sessions of your Council may be signally crowned with the presence and power of the Divine Spirit, and that 177 your various plans and arrangements for the advancement of His kingdom and glory may be followed by abundant blessing.

Signed on behalf of the Conference.

Thomas M'c Ilagh, President,

James Donnelly, Secretary.

AN ARMINIAN AND A CALVINIST MAY AGREE.

The following conversation between Mr. Wesley and Mr. Simeon is related by Dr. Dealtry in his sermon on the occasion of the death of the latter:



## Library of Congress

"Pray, sir, do you feel yourself a depraved creature, even so depraved that you would never have thought of turning to God, if God had not first put it into your heart?"

"Yes," said the veteran Wesley, "I do, inded."

"And do you utterly despair of recommending yourself to God by anything that you can do, and look for salvation solely through the blood and righteousness of Christ?"

"Yes, solely through Christ."

"But, sir, supposing you were first saved by Christ, are you not, somehow or other, to save yourself afterwards by your own works?"

"No; I must be saved by Christ from first to last."

"Allowing, then, that you were first turned by the grace of God, are you not in some way or other to keep yourself by your own power?"

"No."

"What, then, are you to be upheld every hour and every moment by God, as much as an infant in its mother's arms?"

"Yes, altogether."

"And is all your hope in the grace and mercy of God to preserve you unto His heavenly kingdom?"

"Yes, I have no hope but in Him."

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“Then, sir, with your leave, I will put up my dagger again; *for this is all my Calvinism; this is my election, my justification by faith, my final perseverance; it is, in substance, all that I hold, and as I hold it.*”

These extracts are inserted simply to show that there is little occasion for any schism or controversy between any evangelical Christian denominations, the particular church forms and management comparatively unimportant.

178

Having to contend with the world, the flesh, and the Devil, no weapon of attack or defence should be directed against each other. And whatever may be any person's celebrity otherwise, all fades into worse than nothingness at death, except the precepts, examples, and productions favoring a better future existence.

Never having been in the habit of writing or repeating written speeches, I can only in the personal biography and occurrences and reminiscences to which you refer and request presentation, embrace some subsequently written out, and whatever I might have thus presented all might be as “vanity and vexation” of spirit, unless so far as they pertain to that eternal existence beyond this unsatisfying world of brief trial, trouble, tribulation, and affliction, and don't think I can more properly or advantageously conclude these desultory, incoherent and impulsive responses to application for personal incidents and occurrences than by incorporation of some manuscripts of remarks at the prayer meetings attended, and written out after delivery, for my own gratification and edification, hoping some may be as pearls cast before *jewels*.

Nor is it possible in such effusions to avoid the adoption and use of expressions previously used by others, and so entering into the general repository of the mind as to preclude personal eliminations and assignment.

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The simile of the setting sun with beams remaining to guide admiring followers, is as old as the Bible, and adopted by others and of no special appropriation. The originality and application arise with the subject exciting it—and so in all historical embellishments and allusions.

179

And now, Mr. Editor, it is about time at least to *approach* “the conclusion of the whole matter.” The apparent frequent repetitions arise from so many contemplated conclusions and recommencements requiring restatement of similar foundation or fountain for similar comments. And how can the appearance of egotism be avoided when I am called on for *personal* reminiscences and occurrences. I repeat confession of desire to preserve some of these for my own use and gratification, others can share or not according to their own tastes and inclinations, placing them in the rear. Whether reserving the best for last or not, others may decide for themselves. But as for myself all else comparatively glides into insignificance in these concluding, expiring contemplations.

Though like other presentations, never wrote in advance a single address of the kind, I now find amongst forgotten manuscripts, what appears under caption “Remarks at the last of the Union Prayer Meetings in Calvary Church,” from memory without any previous notes.

In this as I fear the last of the Union prayer meetings continued longer in this than any other church, it might seem appropriate that some member of this particular congregation, or one who has attended with some regularity the ministrations of two of the churches and officially connected with a third, to present some acknowledgment, some summing up, some conclusion of the matter in consequence and results, some gratification, some congratulation, at the interesting spectacle of so many different members of so many different churches, uniting together, somewhat divided as the waves, but one as the sea, bearing these different barks of life towards the same haven of eternal repose.

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It was the remark of a distinguished traveler that when he approached the city of London and thought of her abominations, he viewed it as a city destined to destruction.

It seemed that he could almost see the cloud of wrath gathering over, and ready to burst in fury upon it.

But then again he looked and saw her thousand spires pointing up to heaven which seemed to penetrate this cloud and avert this fury.

180

If a similar cloud were seen in imagination or in reality, gathering up over Philadelphia and ready to burst in fury upon it where for refuge should we fly? Not to the thousand *spires* but to the thousand united *prayers* rising up to Heaven to penetrate that cloud and avert that fury.

It is said to be better to go to the house of mourning than to the house of feasting.

How lugubrious the reflections which constitute this that better house for your sympathy, your condolence, that humility which should precede exaltation and revival. When in early winter it was announced by our minister that since the leaves commenced falling seven of our members had been taken to eternity—we might well have inquired insatiate archer, will not this suffice? But more recently a number of our brightest ornaments have been transferred from this earthly casket to the crown of immortal glory, every one of them or some connected with the foundation of our church or *churches*, and the beautiful superstructures reared upon them. Such appropriate stepping-stones from the trials, troubles, and tribulations of each to the house not made with hands—the celestial city whose gates are symbolized as pearl and streets as shining gold, all fading into darkness before the sun of righteousness rising with healing in his wings. Although their voices may not again reverberate within these walls, it is a comfort and consolation that the walls or windows, themselves will long sound their praises when our poor lisping, stammering

## Library of Congress

tongues lie silent in the grave. The memorial windows in Calvary Church are explanatory of this allusion.

The precise connection between the spirits of the departed and the spirits of the living has been wisely concealed from our comprehension. Faith is said to be the only door to heaven. We should not desire by knowledge to close that door.

We have some inklings in the expressions—"There's joy in heaven over one sinner that repenteth" and then the sentiment of the hymn,

"Bright angels are from glory come, They are 'round my bed, they are in my room; They wait to bear my spirit home. All is well! All is well!"

Indicating some connection between the spirits of the departed and the spirits of the living. Methinks that if they are permitted to hover 181 over the things of earth, they will cluster thickest around those monuments of their liberality and their piety, "Telling to all around what a dear Saviour they have found." And that "nothing is worth a thought beneath, but how we may escape the death that never, never dies."

But the summing-up, the conclusion, of the matter devoutly desired, is an outpouring of the Holy Spirit, or to call things by their right names—a revival of religion in our midst.

I make no reflection on any person's Christian attainments. But from my observation and experience elsewhere, if there is to be a revival in this or any other church it must begin with the members of the church, with the professors and possessors of religion. As a Presbyterian elder of over 25 years' duration, I may say it with the elders of this church, and if I were a minister I might go a little further.

I do not mean action or excitement—but exciting into action deliberate sentiments and conclusions.

## Library of Congress

Who has not read—all have read or ought to read—the experience of Mrs. Jonathan Edwards, as written by herself in the days of Whitefield, and the comments of her husband, sufficiently stringent on such subjects—“If this be enthusiasm, if this be distraction, I pray God that the world of mankind may be seized with this benign—this beneficent—this beatific distraction.”

Then, if no other good results come from these meetings, let us feel that we have in the commencement laid a foundation to carry us through the remainder of the year and all the years of our existence, and through eternity.

“Other foundation can no man lay than is laid, which is Jesus Christ.” I say not to this church—not to these three churches—but to all the earth—gather upon this firm foundation, and if no other result—let the thundering, stunning declaration go out to all the earth—and let the earth reverberate, resound and re-echo—See “ see how these Christians love one another.”

Then really in the conclusion which has been retreating in proportion to the vigor of pursuit, I might have proclaimed that I had ascended a glittering throne on earth to assume a glittering earthly crown, as some who have thus lost their heads, or that I had been arrayed in purple and fine linen faring sumptuously every day, as some who afterwards had lifted up their eyes in torment imploring a cup of 182 cold water, that I had been favored with a Presidential nomination or election succeeded by such tormenting apparitions or fatalities, all, *all* would evaporate into worse than nothingness compared with the dying declaration: “This is death! Glory, glory, so happy, so happy!” or that of the illiterate colored servant “The way to die a Christian death is to live a Christian life.”

EXTRACTS FROM SPEECHES OF THE MEMBERS OF THE VIRGINIA CONVENTION  
PREVIOUSLY REFERRED TO.

Mr. Taylor then rose and addressed the Committee in substance, as follows:

## Library of Congress

All our institutions, whether State or Federal, in their character, are founded in the assumption of three political truths: 1. That a free Government is the best calculated to promote human happiness, if not universally in all countries and in all times, at least in the American States: 2. That the sovereignty resides, of right, and in fact, in the people: 3. That the best mode of administering Government is by agents, instead of the people personally. I shall not stay to inquire whether these assumptions be false or true; I do not indeed, for myself hesitate to declare my unqualified belief that they are consonant with all the dictates of reason and of truth; and I believe that I express the sentiments of every individual in this Convention, when I make the declaration. But I allude not to these principles, either to justify or condemn them; I only call the attention of the Committee to the fact, that all our institutions rest on these great principles of *Representative Republics*: Republican in this, that they repose the sovereignty solely in the people: *Representative* in this, that that sovereignty shall be exercised through the administration of agents, of representatives; and not personally, by the people. Nor is it my intention to inquire who are the people, in whom this sovereignty is supposed to reside? Some gentlemen think that they include every individual in the community, without regard to age or sex; others maintain that the people are, all who fight and pay; all who defend their country in the hour of peril, or contribute to supply its purse in “the piping times of peace;” while others again, insist, that “people” means those only on whom the Constitution confers the right of exercising political power! (I used a wrong word; I will correct the language; I should have said not those *on* whom the Constitution *confers*, but *in* whom it *recognizes* the right of exercising political 183 power.) Gentlemen may entertain as many different opinions on this point as they please; I meddle not with them now; the resolutions do not even approach these opinions. On the contrary, they pre-suppose that the Constitution has already determined by whom the elective franchise is to be exercised, and only attempt to regulate the mode of its action. The principle of the resolutions is as applicable to one *suffragan* (I know not if the term be strictly proper,) to one *voter*, as to another; and will

## Library of Congress

be equally just, whether you shall adopt the plan of freehold suffrage, or any other, in its stead.

Give me leave to ask of gentlemen one question. Representation; what is it? It is the effect of suffrage. Suffrage is the cause, representation the effect: Suffrage is the parent, representation only its offspring. What then ought to follow? What ought the relation to be between the cause and its result? What the similitude between parent and child? Should there be no family likeness? No correspondence between him who represents, and him who confers the power of representation? Is there to be in the Delegate no principle of resemblance to the individual who sends him? Surely the representative is but the mirror, which, if true, throws back the just image of *the voters* who gave him his place. Representation, to be perfect, must throw back such an image of the *people represented*, in all their proportions, features, and peculiarities. I hope gentlemen will excuse me for a remark, which may not correspond with their views and feelings; but to me it appears inconceivable, how there can be a *representative* without *constituents*: and how can there be constituents, without power to delegate? How can a *man* be a constituent, and him he creates not be *his delegate*. Property cannot vote; it cannot delegate power; and yet we are told that it is to have a representative. The *voter* surely, and the voter only is the representative, when we speak of representatives.

Whence does the obligation to public contribution arise? Whence but from the consideration that each individual is bound to pay to the public for the protection of his property. The Government itself, I mean by its moral as well as physical force, is in fact the underwriter of all the property in the community: and each individual should pay for the general protection in proportion to the risk incurred; that is, according to the amount of property he has to be insured. The principle is founded in the eternal nature of justice; which requires that contribution should be in proportion to the good received. I think that even if my resolution should be convicted of false logic, and that neither the *major* nor the *minor* members of the syllogism were true, and that the conclusion did not follow; still, the proposition itself, contained in the conclusion, must be acknowledged by all to be true



## Library of Congress

and evident. None doubts the *fact*, that property is unequally distributed; nor do I see how any can deny the principle, that each man ought to pay to the State in proportion to his *ability to pay*. I do not say in proportion to his capital, or to the profits upon his capital; but in proportion to his “ *ability to pay*. ” I put the proposition in the broadest terms; and in such a form as will apply to any system of political economy, gentlemen may respectively think fit to adopt.

If the ground I have taken, be tenable, then we have arrived at the true sources of representation and taxation; they are not two twin streams, which have their common source in the same distant glen; which chance may have separated for a time, and which afterwards reunite: they issue from different fountains; flow to different oceans, and never can be united but by some power which perverts the object for which nature destined them. When you look to *representation*, you look to *men*: when you look to *taxation*, you look to the ability to pay, and to the *property* from which this payment is to be made.

Judge Upshur rose and addressed the Committee, nearly as follows:

Sir, I am about to use a borrowed idea; but it is valuable for its truth, and perfectly applicable to the subject. The first account that we have of man, is that contained in the Bible; and how will this notion of original equality stand, when tested by that orthodox book? Adam was the first of created beings; Eve was created next; and the very fiat which brought her into existence, subjected her to the dominion of her husband. Here then was no equality. Cain was the first born of men, and at what period did he become the equal of his father? Was it at the moment of his birth, while he was yet scarcely conscious of his own existence, a helpless dependent upon the care of his parents? And if not *then*, at what age did this equality first attach? Was it at ten, or fifteen, or twenty-five, or thirty-five years of age? Where is the law, or the *doctrine* of nature, which enables us to say with certainty and precision, at what age the child becomes the equal of his father? Sir, the true meaning of the equality of men, as applicable to this subject, was happily expressed by the gentlemen from Culpeper 185 (Mr. Green) when he said that “all men are so far equal by

## Library of Congress

the law of nature, that when they enter into a state of society, no one can claim a natural right to rule over another.” And for the same reason, no ten men can claim a natural right to rule over any nine men.

In truth, Mr. Chairman, *there are no original principles of Government at all*. Novel and strange as the idea may appear, it is nevertheless, strictly true, in the sense in which I announce it. There are no original principles, existing in the nature of things and independent of agreement, to which Government must of necessity conform, in order to be either legitimate or philosophical. The principles of Government are those principles only, which the people who form the Government, choose to *adopt and apply to themselves*. Principles do not *precede*, but spring out of Government. If this should be considered a dangerous novelty in this age of improvement, when all old-fashioned things are rejected as worthless; let us test the doctrine by reference to examples. In Turkey, the Government is centered in one man; in England, it resides in King, Lords, and Commons; and in the Republics of the United States, we profess to repose it in the people alone. The principles of all these Governments are essentially different; and yet will it be said that the Governments of Turkey and England are no Governments at all, or not legitimate Governments, because in them, the will of a majority does not give the rule? Or, will it be said, that our own Governments are not legitimate, because they do not conform to the despotic principles of Turkey, nor recognize the aristocracy of England? If there be these original principles at all, we must presume that they are uniform in themselves, and universal in their application. It will not do to say that there is one principle for one place, and another principle for another place. The conclusion resulting from the reasoning of gentlemen will be, that there is one Government in the world which is *really* a Government, rightful and legitimate; and all other forms of social compact, however long, or however firmly established, are no governments at all. Every Government is legitimate which springs directly from the will of the people, or to which the people have consented to give allegiance. And I am not going too far, in asserting that Governments are tree or otherwise, only in proportion as the people have been consulted in forming them, and

## Library of Congress

as their rulers are directly responsible to them the execution of their will. It matters not what form they assume, 186 nor who are the immediate depositories of political power. It may suit the purposes of the people, as it once suited those of Rome, to invest all authority in a Dictator; and if the people choose this form of Government; if their interest and safety require that they shall submit to it, what original principle is there which renders it illegitimate? If the majority possess all power, they possess the power to *surrender* their power. And if it be just and wise that they should do so, it is still their own Government, and no one can impugn its legitimacy.

I have thus, Mr. Chairman, endeavored to prove, that there is not in nature, nor even in sound political science, any fundamental principle applicable to this subject, which is mandatory upon us. We are at perfect liberty to choose our own principle; to consult all the circumstances which attend our condition, and to mould our Government as our interests and necessities suggest as wise, just and expedient.

I admit, as a general proposition, that in free Governments, power ought to be given to the majority; and why? The rule is founded in the idea that there is an identity, though not an *equality* of interests, in the several members of the body politic: in which case the presumption naturally arises, that the greater number possess the greater interest. But the rule no longer applies, when the reason of it fails. And here we should be careful to remember, that the question does not relate to the administration of an actual Government. It is not contended that the Legislature, when the Government shall go into operation, ought not to adopt the rule of a majority in acts of ordinary Legislation. The question before us, is prior to actual Government: it is not whether a majority shall rule in the Legislature, but *of what elements that majority shall be composed*. If the interests of the several parts of the Commonwealth were identical, it would be, we admit, safe and proper that a majority of *persons only* should give the rule of political power. But our interests are not identical, and the difference between us arises from property

## Library of Congress

alone. We therefore contend that property ought to be considered, in fixing the basis of representation.

Mr. P. P. Barbour, of Orange, rose and said, that as the gentleman from Chesterfield (Mr. Leigh,) was entitled to the floor this morning, according to Parliamentary usage, I think it proper to state to the Committee, that I am about to occupy it with his consent. I am afraid, indeed, that I shall offer a very poor equivalent for the rich 187 repast which that gentleman would have spread before the Convention; but I have this consolation, that though it will be delayed, it will not be ultimately lost. But, sir, I consider it a duty, which I owe to myself, to my constituents, and to the respect which I entertain for the opinions of my fellow-citizens of the Commonwealth at large, to state some of the views which I have taken of the subject under discussion, and to vindicate the course which I feel it to be my duty to pursue. In doing this, I promise to be as brief as I can, consistently with rendering myself intelligible. I would do so, at all times and under all circumstances; but on the present occasion, I have the additional reason, that the able argument of the gentleman from Northampton, has relieved me from much of the labor which would otherwise have devolved upon me; and I shall be much gratified, if it shall be in my power, to strengthen some of the strong points which were so ably occupied by him. I do not remember in my life, to have felt so deep a sense of responsibility as on the present occasion; nor is this at all the language of affectation: I speak it in the sincerity of my heart. On former occasions, as a member of a deliberative assembly, I have been engaged in giving execution to the provisions of an existing Constitution; under such circumstances, if I should have chanced to fall into error, it would have been such as would have found a speedy remedy in the ordinary process of legislation; but now I stand on different ground. I am called upon to aid, not in executing an existing Constitution, but in the creation of a new one; a situation in which error, though not wholly irremediable, must continue for a considerable time; and if corrected at all, can only be corrected by the original power of the people, in their primary capacity, or in such other mode as may be adopted for the amendment of their organic law.

## Library of Congress

The task imposed upon us, is one of the grandest and most solemn import. We meet together as the representatives of a great community, to mingle our counsels for the common weal; to lay the foundation of a Constitution which shall secure the permanent happiness and prosperity of a great Commonwealth. It has been the fate of most of the nations of the earth, to have a Government imposed upon them without the least participation of their own will; it is our good fortune, on the contrary, both in our character of an individual State, and as constituting an unit in our great confederacy of States, to have 188 a Government of our own choice. We meet free as the air which we breathe, not only unawed, but uncontrolled by any earthly power, save only the power of the people, who gave us our political existence; and before whom, as the ultimate arbiters of their own destiny, the work of our hands, must pass for their approval. I feel, Mr. Chairman, not only the importance and solemnity of the trust, but a more than usual deference towards the body which I am addressing. It is composed of individuals, all of whom have participated in the councils either of their native State, or of the United States; and some of whom, assisted, more than half a century ago, in laying the corner stone of the Constitution of this ancient Commonwealth, the first Representative Republic in the world, which we are now about to remove; and who as chiefs, either of the Executive or Judicial Departments of the Federal Government, have, for a series of years presided over the interests of our common country. If under these circumstances, I shall be somewhat embarrassed in presenting my views to the Committee, they will perceive in my situation an ample apology.

Ours, Mr. Chairman, is emphatically a Government of principles: principles established by the wisdom, and consecrated with the blood of our fathers. It is certainly not our purpose to tear up the foundations of our political system and establish a new one out of the ruins; Our object is to reform and amend but not to revolutionize. Without, therefore, indulging in abstract theories, or referring to the systems of other nations, let us resort to those fundamental truths which constitute the basis of our own system. We shall find them all-

## Library of Congress

sufficient for every useful purpose; they will serve as a “lamp to our feet, and a light to our path,” upon this or any other subject of our duties.

In this country, highly favored, as we believe by Heaven, and distinguished for its civil and political liberties, we recognize the sovereignty of the people, the fiduciary character of all public agents. We consider the people not only as the objects and subjects of Government, but as the governors themselves in the last resort, and the only safe depositories of unlimited power. We regard the objects of legislative authority of representatives of the people, accountable to them, and constituted for the purpose of expressing their will. We acknowledge that this general or public will must prevail, whether in the ordinary legislative enactments, or in the construction and alteration of the fundamental laws. As unanimity in the operations of such a Government, 189 is in the nature of things, impracticable, the general will is to be expressed by the voice of the majority. This, as the gentleman from Frederick (Mr. Cooke) has correctly stated, is a rule founded upon necessity; for otherwise, the public will would be nugatory, or would be expressed by the voice of the minority, the absurdity of which is manifest.

All the arguments which have been urged to prove that Virginia is divided by hostile and irreconcilable sectional interests, only tend to establish that she ought not to continue united under the same Government, a conclusion abhorrent to the feelings of every patriot, and however ingenious and eloquent gentlemen may speculate upon the subject, not justified by any facts which have occurred in the whole course of our history. And after all that has been said to destroy our confidence in the justice of the majority, it is the only rational security which we can have for the peace, and happiness, and prosperity of the community. Our Republican Institutions rest for their support upon the virtue and intelligence of the people; and if they should not be sufficient to insure a faithful and wise administration of the Government, the best hopes of human liberty and happiness which we have cherished must be disappointed, and we shall be compelled to abandon the scheme of self-government, and yield up the many to the protection of the few.

## Library of Congress

Mr. Baldwin addressed the Chair.

Though I do not profess, sir, to have made politics my study, or to have had much experience in public affairs, there is one truth deeply impressed on my mind, which cannot escape the most casual observer. Whoever acts the part of a statesman, however humble, or however distinguished, is compelled, if he be honest, to make great sacrifices. On this occasion, I feel myself constrained by a sense of duty to make a sacrifice of opinion, of feeling, even of consistency itself. It shall be made, freely made—upon the altar of my country, without hesitating a moment to consider the consequences personal to myself. My only answer, therefore, to the charge of inconsistency is, that I confess and justify, it. What is my justification? The peace, the happiness, the safety of Virginia. Mr. Chairman, this is a momentous crisis in the destiny of our State. In this Assembly, convened by the highest exercise of sovereign power, the raves of controversy have risen to a great height—they have extended beyond us in every direction, and threaten to overwhelm the whole Commonwealth. We are now to determine whether we shall pour oil upon those waves, or permit the storm to rage with reckless and resistless fury. Is this a time to indulge the pride of opinion, the spirit of party, the love of consistency; or does the occasion demand the influence of widely different and far higher motives?

Mr. Scott, rose and addressed the Committee as follows:

Mr. Chairman: After the frost-work of mere abstractions constructed by the gentlemen on the other side, had melted before the rays of the genius of the gentleman from Northampton, the member from Ohio has endeavored to build it up again, with what success I leave the Committee to judge. When I set about a task, sir, my first inquiry is, what is the end to be accomplished? Having ascertained this, I then look about for the means which are at hand. The end which we all have in view, is to secure the blessings of liberty to the people of Virginia, and their posterity; the means by which we propose to accomplish it, is to recommend to them a frame of Government best calculated to attain that end. In constructing this Government, we are not necessarily driven back to the natural



## Library of Congress

rights of man. If we are satisfied that the safety of the whole community requires that the powers of Government should be placed in the hands of a minority, we are bound to recommend it to the people to place them there. And if they give it their sanction, the right of the minority is as legitimate as the *jus majoris* contended for by gentlemen on the other side. All the questions which can arise are mere questions of the fitness of means to an end. I would not be understood as discarding all principle. On the contrary it would be found that I agree with the gentlemen who are so very fond of theory in the principles which I shall take as my guide, although I shall apply them differently. The difference between these gentlemen and myself is this: they form a garment according to their ideas of exact symmetry without inquiry whether, or not, it will fit the person who is to wear it. I propose to take his measure before I apply the shears in the cloth. They profoundly skilled in the healing art, compound a medicine, containing the quintessence of the Materia Medica, and administer it in all cases. I propose to feel the pulse of the patient, and examine the symptoms, before I prescribe the remedy.

Mr. Chairman, I have already said, that the object of our labors is 191 to secure to the people of Virginia, and their posterity, liberty and safety of persons and property. To effect this, a certain quantity of power must be oiled into action. The first reflection which strikes us is that power entrusted to human agents is liable to abuse. To guard against this abuse, constitutes the chief difficulty in framing a Government. The first expedient resorted to, is to call into action no more than is necessary to attain the end. Too much power is liable to run into abuse from its mere excess. The next expedient is not to confide all to the same hands: hence the separation of the Legislative, Executive, and Judicial Departments. But this separation has not in practice been found sufficient. It is not enough to cheek power by power. Some further security has been found necessary. The best reflection which I have been able to give to the subject, has brought me to adopt this maxim, "as far as practicable, to deposit power in the hands of those only whose interest it is not to abuse it." If we look around us into the ordinary affairs of men, we shall find that interest is the great spring of action. What is it that makes agriculture flourish? What is it that builds your cities,



## Library of Congress

and makes commerce spread her wings? What inspires the poet and nerves the soldier's arm? It is love of wealth, fame, and distinction. In a word it is self-love.

Mr. J. S. Barbour said, that he was gratified to find that by the amendment of his honorable colleague (Mr. Scott) the controversy could no longer be said to be one for power, but that it now resolved itself into a question of protection. In reaching his own conclusions on this subject, he had looked mainly to the preservation of certain great interests in the State, and he was anxious to take that course which would effectually defend them against encroachment. The end in view was one indissolubly bound up with the harmony and the liberties of the people, and the means should be adequate to the end. Power and protection seemed to him to be more closely allied than gentlemen had admitted. They are correlatives, necessary to the objects of civil society, and cannot be separated. Mr. B. said, it appeared to him that much of the vice which pervaded the arguments on the other side, might properly be traced to the misapprehension of the conservative principle of our political institutions.

Gentlemen had argued the question, as if the will of the majority should be the only rule of action. It was certainly entitled to great weight, and would always exert great influence. But it is not the only consideration which merits inquiry. The great safeguard in a Republican Government is, in my view, to be found in limitations of power; whether that power be vested in the many or the few. Responsibility cannot be disregarded in the public functionary without destruction to popular rights, and yet, in a society made up of numerous and diversified interests, this principle of responsibility would often fall short of compassing the objects of justice. For, if a majority of these interests be united in one common bond, the rights of a majority having dissimilar interests, must be insecure. I have thought said Mr. B. that there were two important securities necessary in our representative system. The first to secure the fidelity of the representative to the constituent body; the second, to guard one part of the community against the injustice of the other. Without these justice will be overthrown, and liberty cannot long survive the downfall of justice. The first of these securities we possess in the frequency of elections;

## Library of Congress

to the other we have not given sufficient attention. No form of Government has ever subsisted, in which this principle of responsibility was not at times seen and felt. Even in the most frightful despotisms, it has often exerted a powerful dominion. The great struggles which have occurred between liberty and power, in the old as well as the new world, have almost invariably terminated by imposing further limitations upon power. If limitation upon power be unnecessary, and if the will of the majority is to be alone looked to, why is it that we have Constitutions at all? In all the contests in England, from 1628, when that act of Parliament passed, which is denominated the Petition of Right, to the revolution of 1688, the purpose seems to have been, to impose new checks and additional restraints upon those hands that wielded the sovereignty. If men were angels; if justice and magnanimity were, at all times, to exert an uncontrolled sway; there would be no need of any Government upon earth. It is because we are not so constituted, that Governments are instituted; and political institution is unwisely constructed, if it be not so armed, and so restricted, too, as to insure its rightful and restrain its injurious action. It is not a novel doctrine that majorities, actuated by common interests, will unjustly encroach on the minority. We have at this moment a strong illustration of it in the operation of those laws of the Federal Government known by the name of Tariff Acts. Responsibility of the representative to the constituent body is the direct cause of these oppressive encroachments upon the suffering interests of the Southern 193 States. The evil here, is not in the Government, but in the community; a community, united by interest and acting under its influence, disregarding the obligations of justice and preying upon the minor portion of that community. The principle is identical with that we are now discussing.

Mr. Leigh—I wish, indeed, that I had been born in a land where domestic and negro slavery is unknown—no, sir,—I misrepresent myself—I do not wish so—I shall never wish that I had been born out of Virginia—but I wish that Providence had spared my country this moral and political evil. It is supposed that our slave labor enables us to live in luxury and ease, without industry, without care. Sir, the evil of slavery is greater to the master than to the slave: He is interested in all their wants, all their distresses; bound to provide for them,

## Library of Congress

to care for them, to labor for them, while they labor for him, and his labor is by no means the least severe of the two. The relation between master and slave imposes on the master a heavy and painful responsibility—but no more on this head.

Sir, the venerable gentleman from Loudoun has told us of the awful and horrid scenes he was an eye-witness of in France, during the reign of democracy, or rather of anarchy, there. I wish he had told us (as he told the House of Delegates in 1810, when he opposed the call of a Convention, and recounted those same horrors) that “he had seen liberty expiring from excess”—these were his words. France was then arranged into equal departments, with equal representation and general suffrage—in short, enjoying the unalloyed blessings of the natural rights of man! Have I lost my senses? Is the phantom that fills my breast with such horror— *the liberty of Virginia expiring with excess?* —a creature of the imagination, that can never be realized! The venerable gentleman has described those horrors in France—has painted them to us in all the freshness of reality—and then told us in the same breath, that he is prepared to vote for the same system here. The same causes uniformly produce the same effect—I mean to speak with freedom, yet not without the respect due to the venerable gentleman, and which I should render as a willing tribute: I cannot forbear to express my astonishment, that he should be willing to adopt, for his own country, the principles that led to those horrors he has so feelingly described—

Mr. Monroe rose to explain.

194

Mr. Leigh—I request the gentleman to suspend his explanation till I conclude what little more I have to say.

I am sensible, Mr. Chairman, that some of the opinions I have advanced, and some of the propositions I have maintained, are calculated to shock the principles, I might perhaps say, the prejudices, of many. I know, that the very propositions of the truth of which I

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am most firmly convinced, if pushed to extreme, would end in folly and vice; but it is an eternal truth, in all the moral sciences, that no principle, however just, will hold good to the utmost extreme; and there is no argument, which by that process is not capable of refutation. I pray the gentleman from Frederick (Mr. Cooke) to ponder well those lines, which, partly in sport, more in kindness, I handed him the other day— *Est modus in rebus —sunt certi denique fines. Quos ultra citrave nequit consistere rectum.* It has pleased Heaven to ordain, that man shall enjoy no good without alloy. Its choicest bounties are not blessings, unless the enjoyment of them be tempered with moderation. *Liberty* is only a *mean*: the *end is happiness*. It is, indeed, the wine of life; but like other wines, it must be used with temperance, in order to be used with advantage: taken to excess it first intoxicates, then maddens, and at last destroys.

Mr. Monroe now rose to explain. My worthy friend from Chesterfield, expresses his surprise at the view I now take after what I had seen in France. What I meant to convey, in the remarks to which he alludes, was that the commotions I had witnessed inclined me in 1810, rather to oppose the petition from Accomac, in favor of a new Constitution and the extension of the Right of Suffrage, which was advocated in the debate, but that I had so far overcome that impression as now to be in favor of extending that right. I will further explain, my opinion at that time, was not made up—I found cause to hesitate, but it was merely that the subject might be thoroughly analyzed and investigated to the bottom in a view of the conduct of men in such circumstances through all ages. When we trace the popular movements in France to their causes, it will be seen that these causes do not exist here. The people of France had been ruled by despotism and held in an abject and deplorable situation for ages. They were educated and reared under despotism.

195

Mr. Monroe now rose and addressed the Committee, in substance, as follows:

Mr. Chairman: The House, I hope, will indulge me in a few remarks. I will promise to be very concise. My faculties of debate, always humble, have been impaired by long disuse

## Library of Congress

while I occupied another station in the public service, and have, of late years, been yet farther weakened by bodily infirmity; yet duty impels me to make some remarks on this occasion. They shall be but few, and more a sentiment than an oration. My situation is one of peculiar delicacy as it relates to my constituents and my country. When I retired from the office I last held, it was with the expectation that that retirement would be permanent. My age admonished me that it was welcome and becoming. When I received an invitation to come here, (for the seat I hold was not sought by me,) I consented with regret for causes which must be obvious to all. Yet I would not shrink from the call of my fellow-citizens, and at their call I came. But it was with the disposition to look to the whole Commonwealth: from the Potomac to the Roanoke, from the mountains to the ocean, from Kanawha to Monongalia, from the Blue Ridge to the Ohio; all was one to me.

I could have been content to reside in any part of the Commonwealth. I left one part of it, where I had spent the greater part of my life, for another, where I was almost unknown. Its citizens kindly manifested their confidence, and I came with a disposition to look to the interests of the whole. I consider myself as their servant, and I consider them as having a right to instruct me. If they should think fit to do so, I shall either obey them or withdraw from this Assembly. When I find myself in that dilemma, I shall do so without a word. But I do not know that it will arrive. In the course I shall pursue here I shall make it my principle to look to the State at large. I shall look also to the divisions and to the state of acrimonious feeling which existed long before the calling of this Convention, and which I consider this body as having a tendency to tranquilize.

Why do men enter into society? What are their objects, whether rude or civilized? Is it not for the protection of life, liberty and property? Is not this the declaration of our Constitution and of all the Constitutions since adopted throughout the United States? Is there any other motive for society, whether rude or civilized? In a 196 rude state, the protection of life is the principal motive, but even there, property also is a motive. What kind of Government do we find prevailing among our native Indians? They are not governed by

## Library of Congress

written compacts, but the principal chief or elder as he is called by them, rules over the tribe, and they submit; he following the will of the tribe.

Look at civilized society: is the obligation to submission not stronger? Can you separate property from either state? There is a difference, however. In the rude state of society there is the game—all is open and free to all—and property exists only round their cabins. But, what is the case with civilized man? There man presses on man —society presses on society: each individual must have something of his own or he starves. There the people are the guardians, and they must protect property, as well as life and liberty, or society perishes.

Mr. Tazewell said, that when he came to the House this morning, he had but little expectation, and certainly not the slightest inclination, to take any part in this debate. He had not felt any wish to participate in the discussion of a question so general and undefined in its terms, as that which the Committee would soon be called upon to decide. All which he had ever seen of man, and all the information which he had ever been able to acquire in the science of politics, combined to teach him, that no good ever had, and that no possible good ever could, result from the discussion of any mere general propositions in order to elicit by such discussion an agreed basis, which, by mutual consent, might be adopted, as a foundation for some *unknown* practical, political scheme. All such schemes, when developed (and developed they must be at some time or other,) must at last be brought to the test of experience and utility; and as it ought not to be considered as constituting any just objection to any useful political plan, that it was not constructed according to the most nice and precise rules of any art, so nor will it be any recommendation of any other plan, that it is a clear syllogistic deduction from any supposed general truth. If the details of any intended scheme, when fairly exhibited, should be seen to be mischievous, they would surely be rejected, although in strict accordance with the agreed basis; and if believed to be good, they would infallibly be adopted, although at war with and contrary to all the admitted general truths announced by such basis. Discuss whatever general proposition you please, settle whatever general

## Library of Congress

basis you choose, 197 and you will at last discover, when you come to fix the details of the plan, that each of these must be adjusted by a regard to its own particular merits, and by no special reference to any general rules. Entertaining these opinions, it was with much regret he had seen at first, the course and direction intended to be given to the deliberations of the Convention; and he had then almost resolved, to say not one word in relation to the matter now under consideration, until it should assume a more certain and defined form than it yet presents. But the discussion had now proceeded so far, that it would perhaps be an economy of time, to extend it a little farther; and by endeavoring to show, not the truth or falsehood, but the tendency and effect of the general proposition, so as to bring our future, if not our present labors, to a more speedy termination than they seem at present likely to reach. It was with this view he would ask the attention of the Committee to a few remarks which be proposed to address to them, in the course of which he would notice some of those they had just heard from the venerable gentleman from Loudoun, who had but just now taken his seat.

Whatever may be the form of the question now presented to us, the general proposition included in it is; what is the proper basis whereon to erect representation in the Legislative Department of a Government designed for such a State as is Virginia? In examining this question, a most apt inquiry at once presents itself to our consideration. Upon what basis is such representation founded now? When the venerable member from Loudoun, and other much respected gentleman on every side of this body, unite in telling us, that the existing Constitution of Virginia is the best the world has ever seen—when the experience of many here assure us that this Government has endured for more than half a century, producing as much of good as could be expected to result from any Government—and when not a solitary witness has appeared to testify to the existence of a single mischief as its effect—we surely ought to examine carefully the foundation of such a Government, before we should wish to change it. For his part, he was free to declare, that he would not compare the knowledge derived from such experience with that obtained by an

## Library of Congress

examination of the visions of Plato or Aristotle, the theories of Locke or Sidney, or any other mere speculative scheme whatever.

Mr. Chairman, said Mr. Tazewell, capital and labor are the two 198 great elements of the prosperity of every State; each of these is necessary to the existence of the other, for without labor capital would be worthless, and without capital Labor would be useless. But although thus essential to each other, between the two there has existed a struggle from the beginning, which, in the very nature of things, must continue to the end of time. To reconcile these jarring elements, and to confine each within its proper sphere, is the business of good Government. But in the adjustment of the powers of Government, if too much influence be given to either of these elements, mischiefs must result to society. If too much weight be allowed to capital, labor will surely be oppressed, and if too much influence be given to labor, capital is at once endangered. Oppressed labor seizes power to redress its wrongs; capital endangered, must purchase power to protect its rights. Although in perpetual conflict, it passes human wisdom to separate these conflicting forces. You might as well expect to separate the soul from the body of man, and to preserve his existence, as to separate capital from labor and preserve society. You may subject either you please to the dominion of the other, but the experiment can only be made by that sort of revolution, which of necessity must end in anarchy and despotism. All which the friend of free Government can desire; all that the wisest Statesman can accomplish, is so to resolve these opposing forces into a third, as to give a new direction to each, which may be sufficient to check, restrain and balance both. This resulting force is Government, which, when deriving its power from both capital and labor, will receive the support of both.

Mr. Randolph rose and addressed the Committee as follows:

Mr. Chairman: It has been with great disappointment, and yet deeper regret, that I have perceived an invincible repugnance on the part of gentlemen representing here, a large portion of the Commonwealth, extending from Cape Henry to the Mountains, along



## Library of Congress

the whole length of the North Carolina line, that portion of it in which my own district is situated, to take a share in this debate—a repugnance not resulting—I say so from my personal knowledge of many of them—not resulting from any want of ability, nor from the want of a just, modest, and manly confidence in the abilities they possess. I have looked to Norfolk; I have looked to Southampton; I have looked to Dinwiddie; I have looked to Brunswick, for the display of talent which I knew to exist: but, sir, I have looked in vain.

199

And it is this circumstances only—I speak it with a sincerity, I have too much self-respect to vouch for, which has induced me to overcome the insuperable aversion; insuperable until now; that I have felt, to attract toward myself the attention of the Committee.

As long as I have had any fixed opinions, I have been in the habit of considering the Constitution of Virginia, under which I have lived for more than half a century, with all its faults and failings, and with all the objections which practical men—not theorists and visionary speculators, have urged or can urge against it, as the very best (Constitution; not for Japan; not for China; not for New England; or for Old England; but for this our ancient Commonwealth of Virginia.

But, I am not such a bigot as to be unwilling, under any circumstances, however imperious, to change the Constitution under which I was born; I may say, certainly under which I was brought up, and under which I had hoped to be carried to my grave. My principles on that subject are these: the grievance must first be clearly specified and fully proved; it must be vital, or rather deadly in its effect; its magnitude must be such as will justify prudent and reasonable men in taking the always delicate, often dangerous step, of making innovations in their fundamental law; and the remedy proposed must be reasonable and adequate to the end in view. When the grievance shall have been thus made out, I hold him to be not a loyal subject, but a political bigot, who would refuse to apply the suitable remedy.

## Library of Congress

But I will not submit my case to a political physician; come his diploma from whence it may; who would at once prescribe all the medicines in the Pharmacopoeia, not only for the disease I now have, but for all the diseases of ever) possible kind I ever might have in future. These are my principles, and I am willing to carry them out; for, I will not hold any principles which I may not fairly carry out in practice.

The gentleman from Augusta told us yesterday, I believe, or the day before, or the day before that, (I really do not remember which,) that slaves have always been a subject of taxation in Virginia, and that a long while ago neat cattle had also been taxed. In regard to these horned cattle, I think they have occupied full as much attention as they are entitled to in this debate. But, let it be remembered, that we were not taxing the cattle *of the West*, for there was no West, but a 200 few scattered settlements beyond the mountains; and what we have been discussing was the proportion of taxes paid by the East and West. No sooner was an interest in this subject established beyond the mountains, than the tax was laid aside.

The gentleman from Augusta told us yesterday, or the day before, I cannot be certain as to the precise day, with some appearance as if it were a grievance, that the people had interfered; and he asked if we are to be instructed out of our seats? I answer, yes. Such as cannot be instructed in their seats must be instructed *out* of their seats. He says the voices of the people from county meetings and cross roads and taverns, will come here and interrupt the harmony of our deliberations.

Mr. Johnson rose and addressed the Committee as follows:

Mr. Chairman—The question under consideration, has occupied much time, in the discussion, and no doubt much more, in the deep deliberations of the Committee. Its great importance and exceeding delicacy entitle it surely to all the aid which temper, forbearance, conciliation, free, frank and full interchange of opinion, laborious investigation and candid argument can afford. It has on the one hand encouraged the most animated

## Library of Congress

hopes, and, on the other, alarmed the most anxious fears. The whole country looks to it with intense interest—convinced that on its issue depends much of weal or woe.

We are engaged, Mr. Chairman, in a contest for power—disguise it as you will—call it a discussion of the rights of man, natural or social—call it an inquiry into political expediency—imagine yourself, if you please, presiding over a school of philosophers, discoursing on the doctrines of political law, for the instruction, of mankind, and the improvement of all human institutions—bring the question to the test of principle, or of practical utility—still, sir, all our metaphysical reasoning and our practical rules, all our scholastic learning and political wisdom, are but the arms employed in a contest which involves the great and agitating question, whether the sceptre shall pass away from Judah, or a lawgiver from between her feet.

In this contest I feel a peculiar interest—because I stand towards the parties in a relation of some delicacy. With the one are my present residence, the land of my nativity, almost all the friends of my youth, and most of those to whom my affections are bound, by the ties of affinity and blood—With the other are my property and my 201 constituents—those who are endeared to me, by a residence among them of more than twenty years, by many a proof of recollected kindness and friendship, by gratitude for early patronage, and for political confidence, bestowed before it had been earned, and continued after every claim I could have pretended to it, had been lost by my removal from them. In this state of divided allegiance, I ought perhaps to have taken counsel from prudence, and have chosen the part of neutrality. But I had been long in the habit of considering both parties to this controversy as children of the same family, constituent and inseparable parts of the same community—somewhat diversified, it is true, in their possessions, their pursuits, their manners and their character, having some interests, perhaps not altogether in accordance—nevertheless identified in the leading characteristics of a plain agricultural, republican people, having the same great interests, and one common object, the integrity, freedom, happiness and glory of a common country. I had long, too, cherished the fond, perhaps the delusive hope, that it was possible to reconcile all differences, to appease all

## Library of Congress

angry feelings, to remove all causes of jealousy, and to unite all parts of the community in harmonious action, in common labor for common weal; and to realize this hope, I had often exerted to the uttermost my humble power. I could not, therefore, at this most interesting crisis in public affairs, when heated, if not angry controversy was expected by all; when serious, if not fatal dissension was feared by many; when all might be lost by inattention or imprudence, or all might be saved by care and pains—I could not decline the honorable call to duty from my old constituents. I could not refuse the trust, when, well knowing my opinion, they confided their great interests here in part to me, and left me at full liberty, without pledging and without instruction, to profit by the experience and wisdom of those around me, and following the dictates of my own judgment, to shape my course, with a single view to the public good.

After listening attentively to everything that has been said—and much has been ably and eloquently said—I am satisfied, that by advocating the resolution of the Select Committee, and resisting the proposed amendment, I shall best discharge my duty to my constituents and my country.

Mr. Marshall rose and addressed the Chair nearly as follows:

Two propositions respecting the basis of Representation have 202 divided this Convention almost equally. One party has supported the basis of white population alone, the other has supported a basis compounded of white population and taxation; or which is the same thing in its result, the basis of Federal numbers. The question has been discussed until discussion has become useless. It has been argued until argument is exhausted. We have now met on the ground of compromise. It is now no longer a question whether the one or the other shall be adopted entirely, but whether we shall, as a compromise, adopt a combination of the two, so as to unite the House on something which we may recommend to the people of Virginia, with a reasonable hope that it may be adopted.

## Library of Congress

Mr. Madison now rose, and the members were gathering around him as when he last addressed the Committee; but the Chair having intimated that he considered it as entirely out of order, they resumed their seats. Mr. Madison then spoke as follows:

Mr. Chairman—In questions of compromise necessarily requiring mutual concessions of opinion, we ought not to be controlled by opinions formerly expressed, whether derived from abstract views of the subject, or from impressions found to be erroneous as to the state of opinion prevailing in this body. For myself, I brought to this Convention a disposition to receive from free discussion all the lights it might furnish, and a spirit of compromise of which I foresaw the necessity; without losing sight of the interests and feelings of my constituents. This view of the trust committed to me, was known to them, when I was honored with it.

This necessity of compromise is now felt by all; and I do not despair that it will yet be effected by adequate concessions on both sides.

The plan proposed by the gentleman from Northampton, freed as it has been from one of its elements (taxation), appears to be entitled to a favorable consideration: It is not liable to objections which are so decisive with those who oppose the rival plan. The original and real ground of opposition between the two parties is that one basis of Representation for both Houses of the Legislature was claimed on one side, and a different basis for both Houses on the other side.

The proposition of the gentleman from Northampton compares the two plans, and divides equal concessions by the difference between them.

203

And could there be a case, sir, where *equal*, as well as mutual concession was more reasonable? For, neither side can say to the other, we out-number you, and you ought, therefore, to yield to numbers. Neither side will presume to say to the other, we have more

## Library of Congress

wisdom than you, more intelligence, more information, more experience, more patriotism, or more of the confidence of our constituents. Yes, sir, there never was a case imposing more obligations on both sides to relax in their opinions, and by equal as well as mutual surrenders of opinions, to meet on middle ground.

I acknowledge that I cannot concur in the expediency of adopting arrangements merely temporary, however I may respect and value the motives prompting them. They would, in my view, be but an anodyne to the public agitation, only to awaken it, after a lapse of ten years, to a more violent state.

It would be folding up in the instrument of conciliation itself, hidden torches of discord, to be lighted up whenever the same great subject should be reviewed. On the whole, sir, I shall give my vote for the plan proposed by the gentleman from Northampton, as a more equal ground of compromise than the other; and I have thought it proper to make this explanation lest my course should be supposed wanting in consistency.

### AT PRAYER MEETING, PRECEDING COMMUNION.

In these preliminary preparatory exercises, a favorable opportunity is afforded of making something of a pilgrimage to the Fountain of every blessing or to the fountains of our own hearts, If they be pure and right, though the streams springing therefrom may form wordly torrents, overflow their banks, casting up mire and dirt still these pure fountains will in time clarity those streams and cause them to bear our little barks of life on their limpid bosoms, into the Haven of eternal rest.

But if these fountains be impure, all church-membership, communion-preparation for communion—giving goods to the poor, and bodies to be burned are all as nothing and worse than nothing; the ostrich with its head in the sand while its glittering plumage thus becomes a more unerring mark for the cruel sportsman.

## Library of Congress

Indeed the whole Bible might be boiled down to a single word, and 204 that the word “*regeneration*, ” and still be worth more than ten thousand worlds.

With it we may rely that every necessary thing will be added thereunto, *without* it all else is as nothing.

How important then that in our social communions we should take sweet counsel together in comprehending the true import and purport of this momentous word, especially as so many sincere professors of religion seem to entertain confused impressions. Some seeming to act as if at the day of judgment they expected an opportunity of making a speech to define their position, and state why the sentence of death should not be passed upon them. There is repeated reference to a judgment *day* but I nowhere recollect the expression judgment *days*.

It was calculated by a distinguished Divine over 60 years ago, that there were 800,000,000 of inhabitants on the earth; a whole generation passing off in an average of 30 years.

Subsequent calculation put the number at 1,140,000,000, with same result. Now if such opportunity were afforded all, we would have to read not only of judgment *days*, but of judgment *years*. So far from it we are induced to conclude it will require but a small portion of a single day.

The great Book will be opened. Is your name therein inscribed? Enter into the joys of your Lord. Is it not therein inscribed? I never knew you.

This is stated so positively in Revelations as to preclude all doubt or argument. How important then, I repeat, to understand and embrace the true import, as many seem in doubt. Why, I once had one of the most sincere, conscientious professors of religion that walks this earth, to put himself to considerable trouble to bring me some of the works of Dr. Alexander to prove the sufficiency of an *intellectual* faith. I don't recollect which Dr. Alexander it was or which one of his works, and don't care, or I conclude there is some

## Library of Congress

misapprehension on the subject. Or Dr. Alexander might have a faith sufficient to carry him over the water as a dangerous precipice, while others attempting to follow might meet a fatal wreck.

I suppose it would be considered vanity and presumption for the most learned minister to criticise anything Dr. Alexander ever said, and I take it for granted there is some misapprehension, and refer to it to show the divers views on the subject.

205

Nor would I say this much on this great subject if I did not stand firmly on that great Rock of Gibraltar for this life, and that great rock of salvation for the next, whose name (Rev. Dr. Timothy Dwight, many of whose sermons were composed and written out by amanuenses after losing his vision), I will not repeat, but to whom I have formerly alluded, as having the benefit of a darkened vision, as a darkened glass to see a light above the brightness of the sun; who could see through Faith into *Trust*—through Trust into regeneration or new birth—through *all* into that inscription of your names in that Lamb's book of Eternal Life. “Ye saints of the Lord, build the superstructures of your faith on that ‘firm foundation’ and then let the deep waters come,”—let the fiery or the raging billows with their angry white-caps fret and foam—let the winds and the floods beat upon it—“let all Hell endeavor to shake, He'll never, no never, no never forsake.”

But you may say build not your standard too high—I cannot attain unto it. Precisely the reverse—“The soul that in Jesus hath leaned for repose, He will not, He will not desert to His foes;” or “Nothing in my hand I bring, simply to thy cross I cling.”

Or perhaps in the still more expressive language of that most expressive hymn beginning: “Anxious I strove to find the way which to salvation leads” and terminating “Again the *Saviour* brought me aid, and when He set me free, *Trust* simply on my word He said, and leave the rest to me.”



## Library of Congress

*Trust*, trust *simply*, but surely *trust*, and leave the rest to Him. It is only thus, by putting these mountains of difficulties on the shoulders of Omnipotence, that they are made to skip like lambs, the earth itself to fly away, the heavens roll up as a scroll, and the great white throne with film who sits upon it appearing in such dazzling splendor as to blind you to any other consideration.

Trust not then to mere *spiritual* faith, unless as an avenue to something else. We are told that we may have faith to remove mountains, and still be as “sounding brass and a tinkling cymbal.”

The quack, the *empiric*, will cicatrize the surface with golden bandages, and with honeyed phrases, crying all is well, peace and safety, when sudden destruction is coming upon you. But the faithful surgeon, the skilful physician, who knows that the malady lies deep within, will plunge the knife roughly and rudely into the bone and 206 the marrow, if necessary, to extract the putrefaction essential to perfect recovery. It is said, in the hymn, about the old ship Zion, “She has landed many thousands, And can land as many more,” and that on the banks of eternal deliverance; but of this wreck (mere intellectual faith) it may be as truly said, “She has stranded many millions, And can strand as many more.”

Fly, then, from Calvary on earth to Mount Calvary above. Inscribe your names, by faith, in this Lamb's book of eternal life. Then may I repeat—

“Join in with the celestial band, For in my book your names all stand; And take your seats at my right hand, And reign with me in glory.”

*Short Extracts from remarks on previous occasions, never having made a previous note of either:*

“I have had the benefit of but little *paternal* communion, my father having died when I was very young, but leaving the impress of an humble and devoted Christian. But, as is said in scriptural matters, “there is no name like Jesus,” I can, in temporal matters, from precept

## Library of Congress

and example, and every tie and endearment, say there is no name like *mother*. If there be an abominable, unpardonable sin, it is that against a *mother*. And still all this tells only of earthly ties and endearments. We are told that there will be mourning at the judgment seat of Christ, for parents and children there must part, "must part to meet no more."

But my father, *corruption*, my mother and my sister, worm!!! They tell of things eternal. They tell of cutting these mortal coils that bind us to a wicked world. They tell of consuming this clayey casket, that its disembodied spirit may take wings as a dove, fly away and be at rest.

We should thus not only accustom ourselves to death, but overleap the confines of the grave; look at that bright bow of promise spanning the dark gulf of death itself, and still further to the great Captain of our salvation, with whom we have so often communed as to regard him as our own familiar friend. We should anticipate his welcome invitation, paraphrased into beautiful verse:

207

"Then shall our Captain say, Come nigh, Ye faithful ones who did rely, The gospel promises enjoy,— The sweets of my salvation."

Allusion has been made in the preceding pages to the great debate in the U. S. Senate between Mr. Webster of Massachusetts and Mr. Hayne of South Carolina, now among my juvenile reminiscences. The peculiar incidents at that time, known to few of the present day, and thus of desirable exposition, and indeed some of the topics of discussion more interesting and important now than at the period of that discussion.

It is doubtful whether any debate in any country ever produced such wide-spread sensation and admiration. Old men and young men, old ladies and young ladies, and even school-children delighted to commit to memory and rehearse some of the eloquent expressions and illustrations.

## Library of Congress

The debate was nominally on Mr. Foot's resolution concerning the public lands, but in the sequel it was stated that it was about the only subject to which a proper reference was not made.

The chief topics were State Rights and consolidation. There had been previous skirmishes and collisions between the distinguished belligerents, always able but then exciting no peculiar consideration.

Mr. Hayne's first great speech was commenced on January 21st, 1830, and continued two days. It was truly blazoned throughout the land as really a great speech.

On its conclusion Mr. Benton immediately arose and moved an adjournment that its transfusing, transporting and exhilarating into nations might not be tarnished by any inferior presentations, and such adjournment easily effected.

Mr. Webster's friends were very distrustful of his ability to make adequate reply, including his own wife, causing the exhibition and allusion to the snuff-box previously referred to.

All, however, proved to be like exciting the roaring lion or the surging billows of a tempestuous ocean. After the skirmishing and collisions brightening and sharpening the gladiators' weapons—the final conflict was fully inaugurated. It is of course not intended in this connection, to attempt more than a feeble illustration and description of some of the incidents and concomitants. A few extracts from 208 the speeches may be more illustrative and explanatory. Mr. Hayne's exordium on the date stated was as follows:

Mr. Hayne said, when he took occasion, two days ago, to throw out some ideas with respect to the policy of the government, in relation to the public lands, nothing certainly could have been further from his thoughts, than that he should have been compelled again to throw himself upon the indulgence of the Senate. Little did I expect, said Mr. H., to be called upon to meet such an argument as was yesterday urged by the gentleman from Massachusetts (Mr. Webster). Sir, I questioned no man's opinions; I impeach no

## Library of Congress

man's motives; I charged no party, or state, or section of country with hostility to any other, but ventured, as I thought, in a becoming spirit to put forth my own sentiments in relation to a great national question of public policy. Such was my course. The gentleman from Missouri (Mr. Benton), it is true, had charged upon the Eastern States an early and continued hostility towards the west, and referred to a number of historical facts and documents in support of that charge. Now, sir, how have these different arguments been met? The honorable gentleman from Massachusetts, after deliberating a whole night upon his course, comes into this chamber to vindicate New England; and instead of making up his issue with the gentleman from Missouri, on the charges which *he had preferred*, chooses to consider me as the author of those charges, and losing sight entirely of that gentleman, selects me as his adversary, and pours out all the vials of his mighty wrath upon my devoted head. Nor is he willing to stop there. He goes on to assail the institutions and policy of the south, and calls in question the principles and conduct of the state which I have the honor to represent. When I find a gentleman of mature age and experience, of acknowledged talents and profound sagacity, pursuing a course like this, declining the contest offered from the west, and making war upon the unoffending south, I must believe, I am bound to believe, he has some object in view which he has not ventured to disclose. Mr. President, why is this? Has the gentleman discovered in former controversies with the gentleman from Missouri, that he is overmatched by that senator? And does he hope for an easy victory over a more feeble adversary? Has the gentleman's distempered fancy been disturbed by gloomy forebodings of "new alliances to be formed," at which he hinted? Has the ghost of the murdered Coalition come back, like the ghost of Banquo, to "sear 209 the eyeballs of the gentleman," and will it not down at his bidding? Are dark visions of broken hopes, and honors lost forever, still floating before his heated imagination? Sir, if it be his object to thrust me between the gentleman from Missouri and himself, in order to rescue the east from the contest it has provoked with the west, he shall not be gratified. Sir, I will not be dragged into the defence of my friend from Missouri. The south shall not be forced into a conflict not its own. The gentleman from Missouri is able to fight his own battles. The gallant west needs no aid from the south to repel any attack which may be

## Library of Congress

made on them from any quarter. Let the gentleman from Massachusetts controvert the facts and arguments of the gentleman from Missouri, if he can—and if he wins the victory, let him wear the honors; I shall not deprive him of his laurels.

The gentleman from Massachusetts, in reply to my remarks on the injurious operations of our land system on the prosperity of the west, pronounced an extravagant eulogium on the paternal care which the government had extended towards the west, to which he attributed all that was great and excellent in the present condition of the new states. The language of the gentleman on this topic fell upon my ears like the almost forgotten tones of the tory leaders of the British Parliament, at the commencement of the American revolution. They, too, discovered that the colonies had grown great under the fostering care of the mother country; and I must confess, while listening to the gentleman, I thought the appropriate reply to his argument was to be found in the remark of a celebrated orator, made on that occasion: "They have grown great in spite of your protection."

In the course of my former remarks, Mr. President, I took occasion to deprecate, as one of the greatest evils, the *Consolidation of this government*. The gentleman takes alarm at the sound. " *Consolidation*, " "like the *tariff*, " grates upon his ear. He tells us, "we have heard much of late about consolidation, that it is the rallying word of all who are endeavoring to *weaken the Union*, by adding to the power of the states." But consolidation (says the gentleman) was the very object for which the Union was formed; and, in support of that opinion, he read a passage from the address of the president of the convention to Congress, which he assumes to be authority on his side of the question. But, sir, the gentleman is mistaken. The object of the framers of the constitution, as disclosed in that address, was not 210 the *consolidation of the government*, but "the consolidation of the Union." It was not to draw power from the states, in order to transfer it to a great national government, but, in the language of the constitution itself, "to form a more perfect Union;"—and by what means? By "establishing justice, promoting domestic tranquillity, and securing the blessings of liberty to ourselves and our posterity." This is the true reading of the constitution. But, according to the gentleman's reading, the object of the

## Library of Congress

constitution was, to *consolidate the government*, and the means would seem to be, the promotion of *injustice*, causing domestic *discord*, and depriving the states and the people “of the blessings of liberty” forever.

Who, then, Mr. President, are the true friends of the Union? Those who would confine the federal government strictly within the limits prescribed by the constitution; who would preserve to the states and the people all powers not expressly delegated; who would make this a federal and not a national Union, and who, administering the government in a spirit of equal justice, would make it a blessing, and not a curse. And who are its enemies? Those who are in favor of consolidation; who are constantly stealing power from the states, and adding strength to the federal government; who assuming an unwarrantable jurisdiction over the states and the people, undertake to regulate the whole industry and capital of the country. But, sir, of all descriptions of men, I consider those as the worst enemies of the Union, who sacrifice the equal rights which belong to every member of the confederacy to combinations of interested majorities, for personal or political objects. But the gentleman apprehends no evil from the dependence of the states on the federal government; he can see no danger of corruption from the influence of money or of patronage. Sir, I know that it is supposed to be a wise saying that “patronage is a source of weakness;” and in support of that maxim, it has been said, that “every ten appointments make a hundred enemies.” But I am rather inclined to think, with the eloquent and sagacious orator now reposing on his laurels on the banks of the Roanoke, that “the power of conferring favors creates a crowd of dependents; he gave a forcible illustration of the truth of the remark, when he told us of the effect of holding up the savory morsel to the eager eyes of the hungry hounds gathered around his door. It mattered not whether the gift was bestowed on Towzer or Sweetlips, “Tray, Blanche, or 211 Sweetheart”; while held in suspense, they were governed by a nod, and when the morsel was bestowed, expectation of favors of to-morrow kept up the subjection of to-day.

The necessity of more extensive quotations from Mr. Hayne's speech is obviated by the references in the reply, fully indicating their nature and tendency.

### **WEBSTER'S GREAT REPLY TO HAYNE.**

Following Mr. Hayne in the debate, Mr. Webster addressed the Senate as follows:—

Mr. President: When the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and before we float farther, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

[The Secretary read the resolution as follows:

“ *Resolved*, That the committee on public lands be instructed to inquire and report the quantity of the public lands remaining unsold within each state and territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of surveyor general, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales, and extend more rapidly the surveys of the public lands.”]

We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present, 212—every thing, general or local, whether belonging to national politics or party politics,—seems to have attracted

## Library of Congress

more or less of the honorable member's attention, save only the resolution before us. He has spoken of every thing but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that, if nobody is found, after all, either killed or wounded by it, it is not the first time in the history of human affairs that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling *here*, which he wished to relieve. [Mr. Hayne rose and disclaimed having used the word *rankling*.] It would not, Mr. President, be safe for the honorable member to appeal to those around him, upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something *here*, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing *here*, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either, the consciousness of having been in the wrong. There is nothing either originating *here*, or now received here, by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness towards the honorable member. Some passages, it is true, had occurred, since our acquaintance in this body, which



## Library of Congress

I could have wished might have been otherwise; but I had used philosophy, and forgotten them. When the honorable member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and I must say even astonished, at some of his opinions, nothing was farther from my intention than to commence any personal warfare; and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, every thing which I thought possible to be construed into disrespect. And, sir, while there is thus nothing originating *here*, which I wish at any time, or now wish to discharge, I must repeat, also, that nothing has been received *here* which *rankles*, or in any way gives me annoyance. I will not accuse the honorable member of violating the rules of civilized war—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to find those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri arose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good reeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself, and to allow others, also, the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements, I could not employ even the interval between the adjournment of the Senate and its meeting the next morning in attention to the subject of this debate. Nevertheless, sir, the mere matter of the tact is undoubtedly true—I did sleep on the gentleman's speech,

## Library of Congress

and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that, in this 214 respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperature on my part; for in truth I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply. Why was he singled out? If an attack had been made on the east, he, he assures us, did not begin it—it was the gentleman from Missouri. Sir, I answered the gentleman's speech, because I happened to hear it; and because, also, I choose to give an answer to that speech, which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible endorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him in this debate from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable member, *ex gratia modestiæ*, had chosen thus to defer to his friend, and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question, forbid me thus to interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, a little of the loftiness of asserted superiority, which does not allow me to pass it over without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer, whether I deemed the member from Missouri an overmatch for myself in debate here. It seems to me, sir, that is extraordinary language, and an extraordinary tone for the discussions of this body.

Matches and overmatches? Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what

## Library of Congress

we are. This is a Senate; a Senate of equals; of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall of mutual consultation and discussion, not 215 an arena for the exhibition of champions. I offer myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But, then, sir, since the honorable member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whenever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretentious of my own. But when put to me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise probably, would have been its general acceptance. But, sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part,—to one the attack, to another the cry of onset,—or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself, on this occasion—I hope on no occasion—to be betrayed into any loss of temper; but if provoked, as I trust I never shall allow myself to be, into crimination and recrimination, the honorable member may, perhaps, find that in that contest there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may, perhaps, demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

## Library of Congress

But, sir, the coalition! The coalition! Ay, "the murdered coalition!" The gentleman asks if I were led or frightened into this debate by the spectre of the coalition. "Was it the ghost of the 216 murdered coalition," he exclaims, "which haunted the member from Massachusetts, and which, like the ghost of Banquo, would never down?" "The murdered coalition!" Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin, and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods which, by continued repetition through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion already kindled into flame. Doubtless it served its day, and, in a greater or less degree, the end designed by it. Having done that, it has sunk into the general mass of State and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer lifeless and despised. It is not now, sir, in the power of the honorable member to give it dignity or decency, by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is—an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken. The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent

## Library of Congress

man. It knew where its appearance would strike terror, and who would cry out A ghost! It made itself visible in the right quarter, and compelled the guilty, and the conscience-smitten, and none others, to start, with, 217 "Prithee, see there! behold!—look! lo! If I stand here, I saw him!"

Let me observe, that the eulogium pronounced on the character of the State of South Carolina, by the honorable gentleman, for her revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor, I partake in the pride, of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans all—whose fame is no more to be hemmed in by state lines than their talents and their patriotism were capable of being circumscribed within the same narrow limits. In their day and generation, they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he suppose me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts instead of South Carolina? Sir, does he suppose it is in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, sir, increased gratification and delight, rather.

Sir, I thank God that if I am gifted with little of the spirit which is said to be able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happened to spring up beyond the little limits of my own state, or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue in any son of the south, and if, moved by local prejudice, or gangrened by state jealousy, I get up here to abate the tithe of a hair from his just character and

## Library of Congress

just fame,—may my tongue cleave to the roof of my mouth! Sir, let me recur to pleasing recollections; let me indulge in refreshing remembrance of the past; let me remind you that in early times no states cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return. Shoulder to shoulder they went through the revolution; hand in hand they stood round the administration of Washington, and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation, and distrust are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history—the world know it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, fallen in the great struggle for independence, now lie mingled with the soil of every state from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it; if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed to separate it from that Union by which alone its existence is made sure,—it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm, with whatever vigor it may still retain, over the friends who gathered around it; and it will fall at last, if fall it must, amidst the proudest monuments of its glory, and on the very spot of its origin.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you, and the Senate, much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which ray

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heart is full, and I have not been willing to suppress the utterances of its spontaneous sentiments.

I cannot, even now, persuade myself to relinquish it, without expressing once more, my deep conviction, that since it respects nothing less than the union of the states, it is of most vital and essential importance to the public happiness. I profess, sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and our consideration and dignity abroad. It is to that Union we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, personal happiness. I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day at least, that curtain may not rise. God grant that on my vision never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored



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fragments of a once-glorious Union; on states dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured—bearing for its motto no such miserable interrogatory as, *What is all this worth?* nor those other words of delusion and folly, *Liberty first, and Union afterwards*; but everywhere, spread all over in characters of light, blazing on all its ample folds as they float over the sea and over the land, and in every wind under the 220 whole heavens, that other sentiment, dear to every true American heart—*Liberty and Union*, now and forever, one and inseparable!

In the retrospect and consideration of these communications and presentations few can be more surprised or appalled than myself, at my connection with them. When I opened the first letter of solicitation I had about as little idea of such composition and compilation as I had of writing a history of England. From imperfect chirography and hasty execution, some of the sentences and expressions seem somewhat strange and incongruous to me, but more important thus to spring from the heart than the head, relying on the intelligent reader for correction of etymology and punctuation. It is doubtful whether any such glittering collection and conglomeration of distinguished personages in all the different departments of elevated life and position, ever appeared in any one photographic presentation too full and brilliant for any special elimination and commendation. The considerative and useful inquiry might arise as to the best models, for admiration and imitation, every department being so brilliantly represented.

No one can properly disparage such desirable attainments in all the different ramifications and excellencies of social, political, military and ecclesiastical exaltation. What an oppressive and mournful reflection that death has terminated so much that this world boasts, and offers as the greatest attainments of humanity around which clustered and entwined the highest of human aspirations confined alone to this life, the rich man arrayed in purple and fine linen with no anathemas and denunciation for any special wickedness



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or criminality, might present to the general world the highest claims for such special commendation and admiration, while Lazarus and his condition could present nothing but loathing abhorrence. But the parable or description scarcely presents an interval before according to the judgment of the rich man, the condition of Lazarus is transcendently the most desirable and that for eternity. These reflections *come in* for consideration in determining the momentary question as to the best models for imitation and appropriation. I have previously stated in reference to the "Personality of the Holy Spirit," that though I might be able to proclaim that I had 221 adorned all the Presidencies and kingdoms of the whole earth, as a closing biography to a closing life I would prefer to leave this simple production as "the conclusion of the whole matter," to all the offices and adulations of a sinful world. And taking into consideration both this world and the next as such model for imitation and experience, I might indulge in some *doubt* in the *selection*. But that doubt and hesitation would be confined to the exclamation "This is death, glory, glory, so happy, so happy, and to the illiterate saintly old man giving to his " *endeavors* to *serve* God, the *ile* and the wine and the sons and *darters* of Zion," and the colored servant dying, with the declaration: "The way to die a Christian death is to live a Christian life," previously referred to, and enough for consideration in life and eternity.

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Rev. JONATHAN EDWARDS.

Rev. C. H. SPURGEON.

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Hon. JOS. R. HAWLEY, U. S. Senate.

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